

**OFFICIAL JOURNAL**  
**OF THE**  
**HOUSE OF**  
**REPRESENTATIVES**

**OF THE**  
**STATE OF LOUISIANA**

**THIRTY-SEVENTH DAY'S PROCEEDINGS**

**Twenty-fifth Regular Session of the Legislature**  
**Under the Adoption of the**  
**Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Wednesday, May 19, 1999

The House of Representatives was called to order at 1:30 P.M.,  
by the Honorable Hunt Downer, Speaker of the House of  
Representatives.

**Morning Hour**

**ROLL CALL**

The roll being called, the following members answered to their  
names:

**PRESENT**

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Denville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson

Frith  
Fruge  
Gautreaux  
Glover  
Green  
Total—102

Morrish  
Murray  
Nevers  
Odinet  
Perkins

Willard  
Windhorst  
Winston  
Wooton  
Wright

**ABSENT**

Strain  
Total—1

The Speaker announced that there were 102 members present  
and a quorum.

**Prayer**

Prayer was offered by Reverend Ferdinand Gaines, Jr.

**Pledge of Allegiance**

Rep. Chaisson led the House in reciting the Pledge of Allegiance  
to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Frith, the reading of the Journal was  
dispensed with.

On joint motion of Reps. Ansardi and Martiny, the Journal of  
Tuesday, May 18, 1999, was corrected to reflect them as voting yea  
on final passage of House Bill No. 1.

On motion of Rep. Frith, the Journal of May 18, 1999, was  
adopted.

**Suspension of the Rules**

On motion of Rep. Frith, the rules were suspended to limit the  
author or proponent handling the legislative instrument to ten  
minutes for opening remarks and all subsequent speakers on the  
instrument to five minutes.

**Petitions, Memorials and  
Communications**

The following petitions, memorials, and communications were  
received and read:

**Privilege Report of the Legislative Bureau**

May 19, 1999

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following  
report:

Senate Bill No. 46  
Reported without amendments.

Senate Bill No. 86  
Reported without amendments.

Senate Bill No. 164  
Reported without amendments.

Senate Bill No. 290  
Reported without amendments.

Senate Bill No. 350  
Reported without amendments.

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Senate Bill No. 380  
Reported without amendments.

Senate Bill No. 430  
Reported without amendments.

Senate Bill No. 432  
Reported without amendments.

Senate Bill No. 433  
Reported without amendments

Senate Bill No. 480  
Reported without amendments.

Senate Bill No. 484  
Reported without amendments.

Senate Bill No. 647  
Reported without amendments.

Senate Bill No. 743  
Reported without amendments.

Senate Bill No. 802  
Reported without amendments.

Senate Bill No. 806  
Reported without amendments.

Senate Bill No. 808  
Reported without amendments.

Senate Bill No. 889  
Reported without amendments.

Senate Bill No. 912  
Reported without amendments.

Senate Bill No. 996  
Reported with amendments.

Senate Bill No. 1026  
Reported without amendments.

Senate Bill No. 1098  
Reported without amendments.

Respectfully submitted,

JOE SALTER  
Chairman

### Message from the Senate

#### SENATE BILLS

May 18, 1999

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 339, 431, 549, 761, and 798

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Suspension of the Rules

On motion of Rep. Fauchaux, the rules were suspended in order to take up the bills contained in the message at this time.

### Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

#### SENATE BILL NO. 339— BY SENATOR LANDRY

##### AN ACT

To amend and reenact R.S. 9:5626, relative to prescription; to provide that all claims and actions for land and improvements taken for levee and levee drainage purposes shall prescribe within two years from actual occupancy, use or destruction; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 431— BY SENATOR LANDRY

##### AN ACT

To amend and reenact R.S. 9:5628, relative to prescription; to provide for prescriptive period applicable to state and private health care providers for actions for medical malpractice; to provide that the peremptive period does not apply in cases of fraud; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 549— BY SENATOR ROMERO

##### AN ACT

To enact Code of Criminal Procedure Art. 740, relative to restrictions on subpoenas; to provide for a subpoena duces tecum for certain records in the possession of the Department of Public Safety and Corrections; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 761—

BY SENATORS BEAN, HINES, BAJOE, CAMPBELL, CASANOVA, CRAVINS, DARDENNE, DYESS, ELLINGTON, EWING, C. FIELDS, HOLLIS, IRONS, JOHNSON, JORDAN, LAMBERT, LANDRY, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, THEUNISSEN AND THOMAS

##### AN ACT

To enact R.S. 22:230.3, relative to health insurance; to provide for coverage of certain patients participating in selected clinical trials; to provide for approval of entities conducting such trials; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 798— BY SENATOR BOISSIERE

##### AN ACT

To enact Subpart D of Chapter 9 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1291, relative to the Louisiana Hospitality Research Program; to provide for its creation; to provide for its purpose; to provide for its administration; to establish an advisory committee and provide for its membership, functions, and duties; to provide for

development of a plan of operation; to provide for funding and record keeping; and to provide for related matters.

Read by title.

### Reports of Committees

The following reports of committees were received and read:

#### Report of the Committee on Civil Law and Procedure

May 19, 1999

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 18, 1999, I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 640, by Downer et al (Joint Resolution)  
Reported with amendments. (8-0) (Regular)

F. CHARLES MCMAINS, JR.  
Chairman

### Suspension of the Rules

On motion of Rep. McMains, the rules were suspended in order to take up House Bills contained in the committee report at this time.

### House Bills and Joint Resolutions on Second Reading Reported by Committees

The following House Bills and Joint Resolutions on second reading reported by committees were taken up and acted upon as follows:

#### HOUSE BILL NO. 640—

BY REPRESENTATIVES DOWNER, LEBLANC, LONG, ALARIO, COPELIN, GUILLORY, HOPKINS, MCMAINS, RIDDLE, AND STELLY AND SENATORS EWING AND HAINKEL

#### A JOINT RESOLUTION

Proposing to add Article VII, Section 10.8 of the Constitution of Louisiana, relative to state funds; to create the TOPS Trust Fund and the Louisiana Fund in the state treasury; to provide for deposit of monies into the funds; to provide for investment and uses of monies in the funds; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed House Bill No. 640 by Representative Downer

#### AMENDMENT NO. 1

On page 5, line 15, after "in" and before the semicolon ";," change "equities" to "stock"

#### AMENDMENT NO. 2

On page 5, delete lines 22 through 24 and insert the following:

"appropriation of monies from the Louisiana Fund, subject to a fifty percent cap per purpose, for initiatives for education and health care for children, for health care research, disease management services, and capital improvements of state health care facilities, for reduction of tobacco-related injury and death, and for expenses related to the investment of the TOPS Trust; and to require reporting of performance expectations"

On motion of Rep. McMains, the amendments were adopted.

On motion of Rep. McMains, the bill, as amended, was ordered reengrossed and passed to its third reading.

### Motion

On motion of Rep. McMains, House Bill No. 640 was made Special Order of the Day No. 1 for Thursday, May 20, 1999.

### Suspension of the Rules

On motion of Rep. McMains, the rules were suspended in order to take up House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

### House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

### Regular Calendar

#### HOUSE BILL NO. 1547—

BY REPRESENTATIVES DOWNER, LEBLANC, LONG, ALARIO, COPELIN, GUILLORY, HOPKINS, RIDDLE, AND STELLY AND SENATORS EWING AND HAINKEL

#### AN ACT

To enact Subpart E of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:98.1 and 98.2, and to repeal R.S. 46:977, relative to state funds; to provide for disposition of tobacco settlement proceeds; to create the TOPS Trust Fund and the Louisiana Fund as special treasury funds; to provide for deposit of monies into the funds; to provide for investment and uses of monies in the funds; and to provide for related matters.

### Suspension of the Rules

On motion of Rep. McMains, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

### Motion

On motion of Rep. McMains, House Bill No. 1547 was made Special Order of the Day No. 2 for Thursday, May 20, 1999.

### Suspension of the Rules

On motion of Rep. McMains, the rules were suspended in order to take up Senate Concurrent Resolutions at this time.

### Senate Concurrent Resolutions

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

#### SENATE CONCURRENT RESOLUTION NO. 95—

BY SENATOR ROBICHAUX

##### A CONCURRENT RESOLUTION

To urge and request Louisiana State University and Agricultural and Mechanical College to examine the possibility of developing a special fisheries class as part of the Louisiana Agricultural Leadership Development Program.

Read by title.

Under the rules, the above resolution was referred to the Committee on Education.

#### SENATE CONCURRENT RESOLUTION NO. 110—

BY SENATORS DARDENNE AND LANDRY AND REPRESENTATIVE ALARIO

##### A CONCURRENT RESOLUTION

To create the Task Force on Community Services and Support of Louisiana Citizens with Mental Retardation and Other Developmental Disabilities; to identify and analyze the various waiting lists of Louisiana citizens with mental retardation or other developmental disabilities in need of community services and support and to study the effectiveness and funding of the community services delivery system in meeting those needs.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

#### SENATE CONCURRENT RESOLUTION NO. 127—

BY SENATOR HINES

##### A CONCURRENT RESOLUTION

To designate and proclaim the week of May 16 through 22, 1999, as Emergency Medical Services Week.

Read by title.

On motion of Rep. Riddle, and under a suspension of the rules, the resolution was concurred in.

#### SENATE CONCURRENT RESOLUTION NO. 128—

BY SENATOR ROBICHAUX

##### A CONCURRENT RESOLUTION

To offer the condolences of the Louisiana Legislature on behalf of its members, present and past, and on behalf of the citizens of the state to the family of John Minor Wisdom, a native New Orleanian and a stalwart, courageous, and dedicated federal court of appeals judge.

Read by title.

On motion of Rep. Theriot, and under a suspension of the rules, the resolution was concurred in.

### Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

#### SENATE BILL NO. 96—

BY SENATOR LANDRY

##### AN ACT

To amend and reenact R.S. 34:445 and to enact R.S. 34:3402(D), relative to navigation and shipping; to provide relative to the Mississippi River Deepening Project; to authorize a third phase of deepening; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

#### SENATE BILL NO. 245—

BY SENATOR HINES

##### A JOINT RESOLUTION

Proposing to amend Article III, Section 2 (A) of the Constitution of Louisiana, to authorize the consideration of certain matters during regular sessions in even-numbered years which are not within the subject matter limitations for such sessions; to provide for the submission of the proposed amendment to the electors; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

### Motion

On motion of Rep. Bruneau, the bill was returned to the calendar.

#### SENATE BILL NO. 473—

BY SENATORS HAINKEL AND SCHEDLER

##### AN ACT

To amend and reenact Code of Civil Procedure Arts. 1424 and 1429, relative to the discovery of certain medical information; to provide for pre-suit independent discovery of certain medical reports when the mental or physical condition of a person is at issue; to authorize independent medical evaluation on certain terms and conditions as determined by the court; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

#### SENATE BILL NO. 483—

BY SENATOR JOHNSON

##### AN ACT

To amend and reenact R.S. 51:1753(B)(6) and to enact R.S. 39:1502.2 and 1595.7, relative to public contracts; to provide relative to a mentor-protégé program; to require incentives for participation in such program when awarding certain public contracts; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

#### SENATE BILL NO. 490—

BY SENATOR LANDRY

##### AN ACT

To amend and reenact R.S. 56:325(A)(6) and 326(A)(7)(b), relative to fishing; to provide for certain freshwater game fish and commercial fish; to reduce the minimum legal size limit for channel catfish; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Jack Smith, the bill was returned to the calendar.

**SENATE BILL NO. 564—**  
BY SENATOR JORDAN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 345(D)(3), relative to surrender of defendants; to require that the defendant's sureties pay the reasonable cost of returning the defendant prior to the defendant's return; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. McCain, the bill was returned to the calendar.

**SENATE BILL NO. 735—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 13:782(A), relative to the compensation of certain clerks of district courts of the various parishes; to provide for an increase in such compensation; to provide for effective dates; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. McCallum, the bill was returned to the calendar.

**SENATE BILL NO. 831—**  
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 17:3921.2(E), relative to the Classroom-based Technology Fund; to provide relative to the deposit of monies in the fund; to provide for the use of such monies deposited into the fund; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

**SENATE BILL NO. 869—**  
BY SENATOR HAINKEL

AN ACT

To enact Code of Civil Procedure Art. 1563, relative to exemplary damages; to require the court to order separate trials on the issue of liability and damages in certain cases; to require a specific finding of wanton and reckless handling of hazardous or toxic materials in determining the issue of liability; to limit exemplary damages to two and one-half times the economic amount of the compensatory damages awarded; to provide for an exemplary damages cap; to provide relative to interest and suspensive appeals; to provide relative to pending class actions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

**SENATE BILL NO. 886—**  
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 33:1563(G), relative to coroners; to require submission of information required for a death certificate within ten days after the receipt of all test results associated with the investigation into the cause and manner of death; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

**SENATE BILL NO. 894—**  
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 33:1996, relative to fire protection for municipalities; to provide for scheduled paid vacation days for firemen; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**SENATE BILL NO. 1040—**  
BY SENATOR THOMAS

AN ACT

To amend and reenact R.S. 17:3048.1(P)(1)(a), relative to the Tuition Opportunity Program for Students; to provide for student eligibility; to allow students who graduate from certain out-of-state high schools to be eligible for an award provided certain enhanced eligibility criteria are met; to provide relative to certain high schools that are accredited by the Southern Association of Colleges and Schools and meet certain additional criteria; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

**SENATE BILL NO. 1063—**  
BY SENATOR ULLO

AN ACT

To enact Part III-G of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:136 through 136.8, relative to expropriation by a declaration of taking; to provide for the expropriation of property in this manner by certain parishes; to provide for definitions; to provide for the authority to expropriate; to provide for the contents and place of filing of the petition; to provide for the prayer of the petition and for an ex parte order of deposit of estimated compensation; to provide for the vesting of title; to provide for notice to the owner of the property or servitude; to provide for contesting the validity of the expropriation and for waiver of defenses; to provide for the answer by the owner; to provide for penalty for nonuse of the expropriated property; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

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### SENATE BILL NO. 1087— BY SENATOR SCHEDLER

#### AN ACT

To amend and reenact R.S. 11:2260(A)(11)(f)(i), relative to the Firefighters' Retirement System; to authorize certain fire protection district employees to become members of the system; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Retirement.

### SENATE BILL NO. 1099— BY SENATOR DARDENNE

#### AN ACT

To enact Subpart J of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:463, relative to sports trading cards; to provide that the payment of consideration or the venturing of money in order to participate in certain activities regarding sports trading cards shall be an unfair method of competition and an unfair or deceptive act or practice; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

### SENATE BILL NO. 1110— BY SENATOR ROMERO

#### AN ACT

To authorize the Louisiana Wildlife and Fisheries Commission to assess an entrance fee for the Spanish Lake game and fish preserve; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources.

### SENATE BILL NO. 1113— BY SENATOR COX (Substitute for Senate Bill No. 28 by Senator Cox.)

#### AN ACT

To amend and reenact R.S. 15:545(A) and 596(B) and to enact R.S. 15:587.1(G) and 587.3, relative to children; to provide relative to the sharing of information between local law enforcement officials and the Louisiana Bureau of Criminal Identification and Information; to authorize the use of the National Crime Information Center to conduct such background checks as are required by the Louisiana Child Protection Act; to provide for release of certain background information; to provide for fingerprints samples; to provide for certain training programs; to provide for penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

### SENATE BILL NO. 562— BY SENATOR JORDAN

#### AN ACT

To amend and reenact Code of Criminal Procedure Art. 327(A)(4) and (B), relative to requisites for bail undertakings; to provide for a single amount of bail for each charge; and to provide for related matters.

Called from the calendar.

Read by title.

### Motion

Rep. McCain moved that Senate Bill No. 562 be designated as a duplicate of House Bill No. 1020.

Which motion was agreed to.

Rep. McCain moved that Senate Bill No. 562 be amended to conform with House Bill No. 1020 and sent up the following floor amendments:

### HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative McCain to Engrossed Senate Bill No. 562 by Senator Jordan (Duplicate of H.B. No. 1020)

#### AMENDMENT NO. 1

On page 1, at the end of line 2, after "(B)" delete the comma "," and insert "and 338,"

#### AMENDMENT NO. 2

On page 1, liine 3, after "relative to" delete the remainder of the line and on line 4 delete "amount of bail for each charge;" and insert "criminal bail bonds; to provide for the form of the bail order; to provide for requirements of the bail undertaking;"

#### AMENDMENT NO. 3

On page 1, line 6, after "(B)" insert "and 338"

#### AMENDMENT NO. 4

On page 1, line 14, change "shall" to "may"

#### AMENDMENT NO. 5

On page 1, line 15, change "to release" to "releasing"

#### AMENDMENT NO. 6

On page 2, line 1, after "provisions of" delete "the"

#### AMENDMENT NO. 7

On page 2, line 2, delete "above referenced" and after "conditions" insert "set by this Article"

#### AMENDMENT NO. 8

On page 2, after line 8, insert the following:

"\* \* \*

Art. 338. Form and contents of bail order

An order fixing bail shall be in writing, ~~specify the set the type and a single amount and type of the bail for each charge, and~~ designate the officer or officers authorized to accept the bail, and shall be signed by the magistrate. The order may issue on motion of the state or defendant, or on the magistrate's own initiative. In any parish with a population in excess of four hundred ninety thousand, the magistrate or district court shall hold a contradictory hearing prior to fixing bail in any felony case."

On motion of Rep. McCain, the amendments were adopted.

### Motion

On motion of Rep. McCain, the above bill, as amended, was referred to the Legislative Bureau.

### House and House Concurrent Resolutions Reported by Committees

The following House and House Concurrent Resolutions reported by committees were taken up and acted upon as follows:

#### HOUSE CONCURRENT RESOLUTION NO. 44— BY REPRESENTATIVE LANCASTER

##### A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to conduct a feasibility study of adopting Chapters 2 and 2A of the Uniform Commercial Code and repealing the Civil Code articles regarding sales and leases.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Concurrent Resolution No. 44 by Representative Lancaster

##### AMENDMENT NO. 1

On page 1, line 2, change "direct" to "urge and request"

##### AMENDMENT NO. 2

On page 2, line 2, change "directed" to "urged and requested"

On motion of Rep. McMains, the amendments were adopted.

On motion of Rep. McMains, the resolution, as amended, was ordered engrossed and passed to its third reading.

### Senate Concurrent Resolutions Reported by Committees

The following Senate Concurrent Resolutions reported by committees were taken up and acted upon as follows:

#### SENATE CONCURRENT RESOLUTION NO. 44— BY SENATOR C. FIELDS

##### A CONCURRENT RESOLUTION

To direct the Louisiana Department of Environmental Quality to prohibit Rhodia Incorporated from importing, offloading, and burning napalm at its facility in North Baton Rouge because of its proximity to Southern University and heavily populated communities in North Baton Rouge unless a risk management plan is implemented, certain chemical-specific air monitoring systems and a Community Alert System are installed and an evacuation program for Southern University is established.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Environment to Engrossed Senate Concurrent Resolution No. 44 by Senator C. Fields

##### AMENDMENT NO. 1

On page 1, line 2, change "direct" to "urge and request"

##### AMENDMENT NO. 2

On page 4, line 7, change "direct" to "urge and request"

On motion of Rep. Damico, the amendments were adopted.

On motion of Rep. Damico, the resolution, as amended, was passed to its third reading.

#### SENATE CONCURRENT RESOLUTION NO. 105— BY SENATOR C. FIELDS

##### A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study, in conjunction with the United States Department of Transportation, the feasibility of four-laning Harding Lane (L.A. 408), from Southern University to the existing overpass; and to further urge and request Department of Transportation and Development to work with local officials to facilitate the four-laning of Swan Street, from Southern University to Scenic Drive (U.S. 61) and the construction of an overpass at the rail-crossing on Swan Street.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the resolution was ordered passed to its third reading.

### House Bills and Joint Resolutions on Second Reading Reported by Committees

The following House Bills and Joint Resolutions on second reading reported by committees were taken up and acted upon as follows:

#### HOUSE BILL NO. 123— BY REPRESENTATIVES MCMAINS AND DEWITT AN ACT

To amend and reenact R.S. 42:872(E), relative to the composition of the Board of Trustees of the State Employees Group Benefits Program; to provide for attendance requirements relative to removal of members; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

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### HOUSE BILL NO. 137—

BY REPRESENTATIVE FARVE

#### AN ACT

To amend and reenact R.S. 39:101(B)(1)(a), relative to capital outlay budget development; to require school boards to submit their proposed capital projects through the senator and representative in whose district the project will be located; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Alario, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 311—

BY REPRESENTATIVES THORNHILL, GREEN, MONTGOMERY, AND WILKERSON

#### AN ACT

To amend and reenact R.S. 13:3881(A)(3) through (5) and to enact R.S. 13:3881(A)(6), relative to exemptions from seizure; to provide for the exemption of one vehicle with an equity value of five thousand dollars or less; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. McMains, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 315—

BY REPRESENTATIVES DUPRE, CRANE, DOWNER, GAUTREAUX, HEBERT, LONG, MCCALLUM, JACK SMITH, STELLY, THORNHILL, TRICHE, AND WELCH

#### AN ACT

To amend and reenact R.S. 11:701(5)(c), relative to the Teachers' Retirement System; to provide with respect to the inclusion of certain salary increases in calculating "average compensation"; to provide regarding recomputation of benefits; to provide for retroactive application; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

### HOUSE BILL NO. 386—

BY REPRESENTATIVE TOOMY

#### AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 1998-1999 to be used to pay the Board of Tax Appeals judgment in the suit entitled "John W. Stone Oil Distributors, Inc. v. State of Louisiana"; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 386 by Representative Toomy

#### AMENDMENT NO. 1

On page 1, lines 3 and 9, after "Year" and before "to be", change "1999-2000" to "1998-1999"

#### AMENDMENT NO. 2

On page 1, line 13, after "effective on" and before "if vetoed", change "July 1, 1999" to "May 31, 1999"

#### AMENDMENT NO. 3

On page 1, line 15, after "effective on" and before "or on", change "July 1, 1999" to "May 31, 1999"

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 617—

BY REPRESENTATIVES MURRAY (BY REQUEST), HEATON, AND WILLARD

#### A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(H) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; to authorize the State Board of Commerce and Industry to enter into tax exemption contracts, with a property owner proposing expansion, restoration, improvement, or development of an existing residential structure that is at least forty years old, certified as a blighted property located in Orleans Parish by the New Orleans Redevelopment Authority; to provide conditions for termination of such contracts; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 617 by Representative Murray

#### AMENDMENT NO. 1

On page 1, delete line 7, and insert the following:

"that is at least forty years old, certified as a blighted property located in Orleans Parish by the New Orleans Redevelopment Authority; to"

#### AMENDMENT NO. 2

On page 2, at the beginning of line 4, change "(H)" to "(H)(1)"

#### AMENDMENT NO. 3

On page 2, at the end of line 18, delete "The State Board of"

AMENDMENT NO. 4

On page 2, delete lines 19 through 24 in their entirety and insert the following:

"(2)(a) Notwithstanding any contrary provision of this constitution, the State Board of Commerce and Industry or its successor, with the approval of the governor and the local governing authority and in accordance with procedures and conditions provided by law, may enter into contracts granting to a property owner, who proposes the expansion, restoration, improvement, or development of an existing residential structure or structures in Orleans Parish that is at least forty years old and certified as a blighted property by the New Orleans Redevelopment Authority, or its successor, the right for a term of five years after completion of the work to pay ad valorem taxes in accordance with the following scale:

(i) For the first year, the property owner will pay ad valorem taxes based on the assessed valuation of the property prior to the commencement of the referenced property's expansion, restoration, improvement or development.

(ii) For the second year, the property owner will pay ad valorem taxes based on the assessed valuation of the property the year prior to the commencement of the referenced expansion, restoration, improvement, or development in addition to twenty percent of the difference between the actual assessed valuation and the assessed valuation prior to the year of the expansion, restoration, improvement, or development.

(iii) For the third year, the property owner will pay ad valorem taxes based on the assessed valuation of the property the year prior to the commencement of the referenced expansion, restoration, improvement, or development in addition to forty percent of the difference between the actual assessed valuation and the assessed valuation prior to the year of the expansion, restoration, improvement, or development.

(iv) For the fourth year, the property owner will pay ad valorem taxes based on the assessed valuation of the property the year prior to the commencement of the referenced expansion, restoration, improvement, or development in addition to sixty percent of the difference between the actual assessed valuation and the assessed valuation prior to the year of the expansion, restoration, improvement, or development.

(v) For the fifth year, the property owner will pay ad valorem taxes based on the assessed valuation of the property the year prior to the commencement of the referenced expansion, restoration, improvement, or development in addition to eighty percent of the difference between the actual assessed valuation and the assessed valuation prior to the year of the expansion, restoration, improvement, or development.

(b) Any contract entered into under this Subsection regarding blighted property shall terminate if the structure's use is changed from residential use to commercial use and the contract shall not take effect until the property subject to the exemption is put into its intended use."

AMENDMENT NO. 5

On page 3, delete line 13 and insert the following:

"in Orleans Parish that is at least forty years old and certified as blighted property by the New Orleans Redevelopment Authority"

AMENDMENT NO. 6

On page 3, at the beginning of line 14, delete "district"

AMENDMENT NO. 7

On page 3, line 17, between "for" and "term" delete "an initial" and insert in lieu thereof "a"

AMENDMENT NO. 8

On page 3, delete lines 18 through 20 in their entirety and insert the following:

"of the work, increased in years two through five by an annually increasing amount, provides that the contract shall not take effect until the property subject to the exemption is put into its intended use, provides for termination of contract if"

On motion of Rep. Alario, the amendments were adopted.

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

**HOUSE BILL NO. 728—**

BY REPRESENTATIVE SALTER

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Tom Paul Southerland, et al v. The Board of Trustees for State Colleges and Universities"; to provide for interest; to provide for costs; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 728 by Representative Salter

AMENDMENT NO. 1

On page 1, line 12, after "Year" and before "to be", change "1999-2000" to "1998-1999"

AMENDMENT NO. 2

On page 2, line 4, after "effective on" and before "; if vetoed", change "July 1, 1999" to "May 31, 1999"

AMENDMENT NO. 3

On page 2, line 6, after "effective on" and before "or on", change "July 1, 1999" to "May 31, 1999"

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

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### HOUSE BILL NO. 807—

BY REPRESENTATIVE GREEN

AN ACT

To amend and reenact Code of Civil Procedure Articles 1462(B) and 1467, relative to production of documents and things; to provide for requests for admissions; to provide for answers and objections; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 807 by Representative Green

##### AMENDMENT NO. 1

On page 1, line 15, after "defendant" and before "state" delete "and the" and insert ". The"

##### AMENDMENT NO. 2

On page 1, line 16, after "subdivisions" delete the remainder of the line and insert "shall not be required to serve a response until"

##### AMENDMENT NO. 3

On page 1, line 17, delete "interrogatories." and insert the following:

"request, except the extended delays shall not apply to adjudications and hearings governed under Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950."

##### AMENDMENT NO. 4

On page 2, line 20, after "subdivisions" delete the remainder of the line and insert "shall not be required to serve answers or objections until"

##### AMENDMENT NO. 5

On page 2, line 21, after "request" and before the period ":" insert the following:

" , except the extended delays shall not apply to adjudications and hearings governed under Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950"

On motion of Rep. McMains, the amendments were adopted.

On motion of Rep. McMains, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 862—

BY REPRESENTATIVE LANDRIEU

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments of the Board of Tax Appeals; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 862 by Representative Landrieu

##### AMENDMENT NO. 1

On page 1, line 3, after "Appeals", delete the remainder of the line, and delete line 4 in its entirety and insert in lieu thereof a semicolon " ; "

##### AMENDMENT NO. 2

On page 1, lines 9 and 16, after "Year" and before "to be", change "1999-2000" to "1998-1999"

##### AMENDMENT NO. 3

On page 2, line 5, after "Year" and before "to be", change "1999-2000" to "1998-1999"

##### AMENDMENT NO. 4

On page 2, between lines 9 and 10, insert:

"Section 4. The sum of Forty-eight Thousand Nine Hundred Ninety-seven and No/100 (\$48,997.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 1998-1999 to be used to pay the final judgment in the suit entitled "Shore Oil Company v. State of Louisiana", bearing number 5071 on the docket of the Board of Tax Appeals, state of Louisiana."

##### AMENDMENT NO. 5

On page 2, at the beginning of line 10, change "Section 3." to "Section 5.", and after "effective on" and before "; if vetoed", change "July 1, 1999" to "May 31, 1999"

##### AMENDMENT NO. 6

On page 2, line 12, after "effective on" and before ", or on", change "July 1, 1999" to "May 31, 1999"

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 874—

BY REPRESENTATIVE WILKERSON

AN ACT

To enact Chapter 5 of Code Title V of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2800.81, relative to offenses and quasi offenses; to provide for actions by state and statewide retirement systems and local public retirement systems; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and

Procedure.

On motion of Rep. McMains, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 897—**

BY REPRESENTATIVES FAUCHEUX AND DANIEL  
AN ACT

To enact R.S. 47:315.4 and 1711, relative to local sales and use tax; to authorize certain tax credits for sales and use taxes paid if there is a waiver of the homestead exemption; to provide certain terms, conditions, procedures, and requirements; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 897 by Representative Fauchoux

##### AMENDMENT NO. 1

On page 1, delete lines 14 and 15 in their entirety and insert "in R.S. 47:1711."

##### AMENDMENT NO. 2

On page 1, at the beginning of line 16, delete "waiver."

##### AMENDMENT NO. 3

On page 2, line 2, between "R.S. 47:1711(B)." and "The", insert the following:

"The amount of the credit shall be equal to the lesser of the total amount of local sales and use taxes paid by the taxpayer or the total amount of ad valorem taxes that are paid as a result of the waiver of the taxpayer's homestead exemption."

##### AMENDMENT NO. 4

On page 2, at the end of line 7, insert the following:

"However, no credit shall be allocated to any taxing authority which does not levy ad valorem taxes subject to the homestead exemption."

##### AMENDMENT NO. 5

On page 2, delete lines 11 and 12 in their entirety and insert the following in lieu thereof:

"property may waive such exemption and pay the ad valorem tax due based on the entire amount of assessed valuation of the property. Once the taxpayer has waived his homestead exemption and paid the ad valorem tax on his property, he may apply for the sales tax credit provided for in R.S. 47:315.4."

##### AMENDMENT NO. 6

On page 2, after line 19, insert the following:

"C. Any additional funds received under these provisions shall be remitted to the sheriff or property tax collector of the parish in which the property is located, who shall then remit the amount, minus administrative costs, to the single sales tax collector for the parish."

Section 2. The provisions of this Act shall not become effective until the deductibility from taxable income for federal income tax purposes of ad valorem taxes paid as a result of the waiver authorized by this Act has been approved by the Internal Revenue Service."

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 899—**

BY REPRESENTATIVES HUDSON AND KENNARD  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1998-1999 to the Department of Public Safety and Corrections-Public Safety Services, office of state police for payment of legal fees incurred by Colonel Kenneth D. Norris and Major R. L. Montgomery in their successful defense of criminal evidence presented against them before the Grand Jury for the Fourteenth Judicial District for the parish of Calcasieu.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 899 by Representative Hudson

##### AMENDMENT NO. 1

On page 1, lines 3 and 12, after "Year" and before "to the", change "1999-2000" to "1998-1999"

##### AMENDMENT NO. 2

On page 1, after line 17, insert the following:

"Section 2. The sum appropriated in Section 1 of this Act shall be paid notwithstanding the provisions of R.S. 13:5108.3."

##### AMENDMENT NO. 3

On page 2, at the beginning of line 1, change "Section 2" to "Section 3"

##### AMENDMENT NO. 4

On page 2, line 1, after "effective on" and before "; if vetoed", change "July 1, 1999" to "May 31, 1999"

##### AMENDMENT NO. 5

On page 2, line 3, after "effective on" and before ", or on", change "July 1, 1999" to "May 31, 1999"

On motion of Rep. LeBlanc, the amendments were adopted.

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On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 953—

BY REPRESENTATIVE MCMAINS  
AN ACT

To enact R.S. 42:874(B)(9), relative to powers and duties of the Board of Trustees of the State Employees Group Benefits Program; to provide for the procurement of internal auditing services; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 955—

BY REPRESENTATIVES MCMAINS AND JETSON  
AN ACT

To amend and reenact R.S. 42:821(A)(1)(c) and 851(A)(1)(c)(i), relative to the contribution rate of the state for the State Employees Group Benefits Program; to provide for a minimum contribution by the state for health and medical coverage and life insurance coverage; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 1049—

BY REPRESENTATIVE FARVE  
AN ACT

To enact R.S. 39:101.1, relative to capital outlay budget development; to create the Future Direction Committee as an advisory committee to the Board of Elementary and Secondary Education; to provide a procedure for public elementary and secondary school systems to request capital outlay funds; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 1049 by Representative Farve

#### AMENDMENT NO. 1

On page 2, line 1, after "membership." and before "The" insert "Of the five members, one shall reside in each Public Service Commission district."

#### AMENDMENT NO. 2

On page 2, at the end of line 4, before the period "." insert "in accordance with state regulations"

#### AMENDMENT NO. 3

On page 2, at the beginning of line 9, change "(3)" to "B.(1)"

#### AMENDMENT NO. 4

On page 2, line 11, after "Education" and before "no" insert the following:

" , the Legislative Fiscal Office, the Joint Legislative Capital Outlay Committee, the House Committee on Appropriations, the House Committee on Ways and Means, the Senate Committee on Finance, and the Senate Committee on Revenue and Fiscal Affairs"

#### AMENDMENT NO. 5

On page 2, line 14, after "dollars." and before "The" insert "(2)"

#### AMENDMENT NO. 6

Delete page 3 in its entirety

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 1081—

BY REPRESENTATIVES DUPRE, FLAVIN, GAUTREAUX, HEBERT, JACK SMITH, ALARIO, DAMICO, DEWITT, DIEZ, DOWNER, DURAND, FAUCHEUX, FRITH, FRUGE, MARTINY, MCMAINS, MICHOT, RIDDLE, SCHWEGMANN, THERIOT, TRICHE, AND WOOTON AND SENATORS BARHAM, DARDENNE, EWING, HANKEL, AND SCHEDLER

AN ACT

To amend and reenact R.S. 49:213.7(B)(2), relative to the Wetlands Conservation and Restoration Fund; to provide for the deposit and credit of certain mineral revenues in the fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

### HOUSE BILL NO. 1090—

BY REPRESENTATIVE MARIONNEAUX  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgments in the suits entitled "Ohmeda, Inc. v. John N. Kennedy, Secretary of the Department of Revenue and Taxation, State of Louisiana", and "Multimedia Radio, Inc. vs. Secretary, Department of Revenue, State of Louisiana"; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

# HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1090 by Representative Marionneaux

## AMENDMENT NO. 1

On page 1, line 3, after "final" and before "entitled", delete "judgment in the suit" and insert "judgments in the suits"

## AMENDMENT NO. 2

On page 1, line 5, after "Louisiana" change the comma "," to a semicolon ";" and insert "and "Multimedia Radio, Inc. vs. Secretary, Department of Revenue, State of Louisiana,"

## AMENDMENT NO. 3

On page 1, line 9, after "Year" and before "to be", change "1999-2000" to "1998-1999"

## AMENDMENT NO. 4

On page 1, between lines 13 and 14, insert:

"Section 2. The sum of One Hundred Seventeen Thousand Six Hundred Eighty and No/100 (\$117,680.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 1998-1999 to be used to pay the final judgment in the suit entitled "Multimedia Radio, Inc. vs. Secretary, Department of Revenue, State of Louisiana", bearing Number 4925, on the docket of the Board of Tax Appeals, state of Louisiana."

## AMENDMENT NO. 5

On page 1, at the beginning of line 14, change "Section 2." to "Section 3." and after "effective on" and before "; if vetoed", change "July 1, 1999" to "May 31, 1999"

## AMENDMENT NO. 6

On page 1, line 16, after "effective on" and before ", or on", change "July 1, 1999" to "May 31, 1999"

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

## HOUSE BILL NO. 1242—

BY REPRESENTATIVE HOLDEN

### AN ACT

To enact Part IV of Chapter 11 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:2251 through 2262, relative to the creation of an authority to provide certain financial assistance for public schools; to create the Louisiana Education Facilities Authority as a political subdivision of the state; to provide for the use of monies in the fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Alario, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

## HOUSE BILL NO. 1390—

BY REPRESENTATIVES MCMAINS, DEWITT, DOWNER, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

### AN ACT

To amend and reenact Code of Civil Procedure Articles 2412 and 2413, relative to garnishment; to provide for service of certain garnishment petitions on judgment debtors employed by the executive branch of state government; to provide for delays for answering; to require that notice of certain motions be made by certified mail; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. McMains, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

## HOUSE BILL NO. 1391—

BY REPRESENTATIVES MCMAINS, DEWITT, DOWNER, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

### AN ACT

To amend and reenact R.S. 46:446(B), relative to Medicaid reimbursement; to provide for inclusion of certain information in notice to the Department of Health and Hospitals prior to compromise of any claim for damages or compensation involving Medicaid recipients; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

# HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1391 by Representative McMains

## AMENDMENT NO. 1

On page 2, line 11, after "name" and before "date" delete the comma "," and insert "and"

## AMENDMENT NO. 2

On page 2, at the end of line 11, delete the comma ","

## AMENDMENT NO. 3

On page 2, at the beginning of line 12, delete "and/or social security number"

On motion of Rep. McMains, the amendments were adopted.

On motion of Rep. McMains, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

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### HOUSE BILL NO. 1393—

BY REPRESENTATIVES MCMAINS, DEWITT, DOWNER, DIEZ, CRANE,  
AND MORRELL AND SENATORS DARDENNE, EWING, HAINKEL,  
BARHAM, AND SCHEDLER

#### AN ACT

To amend and reenact Code of Civil Procedure Article 2411(C) and R.S. 13:3913, relative to garnishment; to provide that a garnishment, other than of wages of an employee, is not continuing in nature; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. McMains, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 1405—

BY REPRESENTATIVE DAMICO

#### AN ACT

To enact R.S. 47:1907(I), relative to assessors; to provide for certain increases in the annual compensation of assessors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 1405 by Representative Damico

##### AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact R.S. 47:1907(A)(1) and (H) and to"

##### AMENDMENT NO. 2

On page 1, at the beginning of line 3, change "47:1907(A)(3)" to "47:1907(I)"

##### AMENDMENT NO. 3

On page 1, line 13, after "R.S.", delete the remainder of the line and insert "47:1907(I)"

##### AMENDMENT NO. 4

On page 1, at the beginning of line 14, delete "reenacted and R.S. 47:1907(A)(3)"

##### AMENDMENT NO. 5

On page 1, delete lines 16 and 17, and delete pages 2 and 3 in their entirety

##### AMENDMENT NO. 6

On page 4, delete lines 1 through 11 and insert the following:

"\* \* \*

I. In addition to all other forms of compensation which are authorized for assessors under the provisions of this Section, effective on July 1, 1999, the annual compensation of each assessor shall be increased by eight thousand dollars."

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 1450—

BY REPRESENTATIVE FONTENOT

#### AN ACT

To amend and reenact Civil Code Articles 89 and 3520, relative to same sex marriages; to prohibit the recognition of any marriage between persons of the same sex; to provide for any such marriage contracted in another state or jurisdiction; to provide for the effect of any public act, record or judicial proceeding in another state or jurisdiction which authorizes such marriages; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1450 by Representative Fontenot

##### AMENDMENT NO. 1

On page 1, line 2, change "Article 89" to "Articles 89 and 3520"

##### AMENDMENT NO. 2

On page 1, line 9, after "Code" and before "hereby" delete "Article 89 is" and insert "Articles 89 and 3520 are"

##### AMENDMENT NO. 3

On page 1, delete lines 13 through 17 in their entirety and insert the following:

"other. A purported marriage between persons of the same sex contracted in another state shall be governed by the provisions of Title II of Book IV of the Civil Code.

\* \* \*

##### AMENDMENT NO. 4

On page 2, delete lines 1 and 2 in their entirety and insert the following:

"Art. 3520. Marriage

A. A marriage that is valid in the state where contracted, or in the state where the parties were first domiciled as husband and wife, shall be treated as a valid marriage unless to do so would violate a strong public policy of the state whose law is applicable to the particular issue under Article 3519.

B. A purported marriage between persons of the same sex violates a strong public policy of the state of Louisiana and such a marriage contracted in another state shall not be recognized in this state for any purpose, including the assertion of any right or claim as a result of the purported marriage."

On motion of Rep. McMains, the amendments were adopted.

On motion of Rep. McMains, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1468—**

BY REPRESENTATIVE LANDRIEU  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgments in the suits entitled "Texas Gas Transmission Corporation vs. State of Louisiana", "Crawler Supply Company, Inc. v. State of Louisiana", and "American Express Travel Related Services vs. State of Louisiana", and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1468 by Representative Landrieu

##### AMENDMENT NO. 1

On page 1, line 3, after "final" and before "entitled", delete "judgment in the suit" and insert "judgments in the suits"

##### AMENDMENT NO. 2

On page 1, line 4, after "Louisiana", insert ", Crawler Supply Company, Inc. v. State of Louisiana, and American Express Travel Related Services vs. State of Louisiana"

##### AMENDMENT NO. 3

On page 1, between lines 12 and 13, insert:

"Section 2. The sum of One Hundred Twenty-seven Thousand Six Hundred Sixty-six and 84/100 (\$127,666.84) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 1999-2000 to be used to pay the final judgment in the suit entitled "American Express Travel Related Services vs. State of Louisiana", bearing Number 5004, on the docket of the Board of Tax Appeals, state of Louisiana.

Section 3. The sum of Fifty-five Thousand Seven Hundred Thirty-six and 45/100 (\$55,736.45) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 1999-2000 to be used to pay the judgment in the suit entitled "Crawler Supply Company, Inc. vs. State of Louisiana", bearing Number 4207, on the docket of the Board of Tax Appeals, state of Louisiana."

##### AMENDMENT NO. 4

On page 1, at the beginning of line 13, change "Section 2." to

"Section 4."

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1536—**

BY REPRESENTATIVE BOWLER  
AN ACT

To enact R.S. 9:4802(G)(3) and R.S. 38:2242(F), relative to privileges and liens; to provide for privileges and liens of sellers under the Private Works Act and materialmen doing work with a public entity; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1536 by Representative Bowler

##### AMENDMENT NO. 1

On page 1, at the end of line 15, after "deliver" insert "by certified mail"

##### AMENDMENT NO. 2

On page 1, line 16, after "within" and before "days" change "fourteen" to "thirty"

##### AMENDMENT NO. 3

On page 2, at the end of line 2, add "The provisions of this Paragraph shall apply only to disputes arising out of recorded contracts."

##### AMENDMENT NO. 4

On page 2, at the end of line 9, after "deliver" and before "a" insert "by certified mail"

##### AMENDMENT NO. 5

On page 2, line 10, after "within" and before "days" change "fourteen" to "thirty"

##### AMENDMENT NO. 6

On page 2, at the end line 12, add "The provisions of this Subsection shall apply only to disputes arising out of recorded contracts."

On motion of Rep. McMains, the amendments were adopted.

On motion of Rep. McMains, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

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37th Day's Proceedings - May 19, 1999

## HOUSE BILL NO. 1755—

BY REPRESENTATIVE DEWITT

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Cytec Industries Inc. v. State of Louisiana", and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1755 by Representative Dewitt

#### AMENDMENT NO. 1

On page 1, at the end of line 8, change "1999-2000" to "1998-1999"

#### AMENDMENT NO. 2

On page 1, line 3, after "Industries" delete the comma ","

#### AMENDMENT NO. 3

On page 1, line 9, after "Industries" delete the comma ","

#### AMENDMENT NO. 4

On page 1, line 12, after "effective on" and before "; if vetoed", change "July 1, 1999" to "May 31, 1999"

#### AMENDMENT NO. 5

On page 1, line 14, after "effective on" and before "or on", change "July 1, 1999" to "May 31, 1999"

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

## HOUSE BILL NO. 1782—

BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1998-1999 to the Department of Social Services to pay legal expenses incurred by Susan Allen, relative to required Grand Jury testimony arising from events which occurred during the course and scope of her employment; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to

Original House Bill No. 1782 by Representative Winston

#### AMENDMENT NO. 1

On page 1, lines 3 and 10, after "Year" and before "to the", change "1999-2000" to "1998-1999"

#### AMENDMENT NO. 2

On page 1, line 16, after "effective on" and before "; if vetoed", change "July 1, 1999" to "May 31, 1999"

#### AMENDMENT NO. 3

On page 1, line 18, after "effective on" and before ", or on", change "July 1, 1999" to "May 31, 1999"

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

## HOUSE BILL NO. 1791—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2027(B)(2)(b), relative to environmental violations reported by employees; to provide relative to recovery of certain damages by employees for retaliation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Environment to Original House Bill No. 1791 by Representative Damico

#### AMENDMENT NO. 1

On page 1, line 2, delete "(A)(1) and (B)(1) and (2)(b)" and insert "B(2)(b)"

#### AMENDMENT NO. 2

On page 1, delete lines 4 and 5 and insert "recovery of certain damages by employees for retaliation; and to provide for"

#### AMENDMENT NO. 3

On page 1, line 8, delete "(A)(1), (B)(1) and (2)(b) are" and insert "(B)(2)(b) is"

#### AMENDMENT NO. 4

On page 1, delete lines 12 through 17 and insert the following:

"\* \* \*

B.(1)

\* \* \*

(2)(a)

\* \* \*

(b) "Damages" for the purposes of this Section shall include, but not be limited to, lost wages, lost anticipated wage due to wage increase, or loss of anticipated wages which would have resulted from a lost promotion, any property lost as a result of lost wages, lost benefits, and any physical or emotional damages resulting therefrom. "Damages" to be tripled pursuant to Subsection B(1) above shall be for the period of the damage, but not to exceed three years, and shall include, but not be limited to, lost wages, lost anticipated wages due to a wage increase, or loss of anticipated wages which would have resulted from a lost promotion, and if the period of the damage exceeds three years, the employee shall thereafter be entitled to actual damages. In addition to the above, "damages" shall also include any property lost as a result of lost wages, lost benefits, and any physical or emotional damages resulting therefrom.

\* \* \*

#### AMENDMENT NO. 5

On page 2, delete lines 1 through 23

On motion of Rep. Damico, the amendments were adopted.

On motion of Rep. Damico, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1878—**

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 23:1127, Code of Civil Procedure Article 1469.1, and Code of Evidence Article 510(E), to enact R.S. 13:3715.2, and to repeal R.S. 13:3715.1 and 3734 and R.S. 40:1299.96 and Code of Evidence Article 510(F) and (G), relative to medical records; to consolidate the provisions of law governing the release of medical records; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1878 by Representative McMains

#### AMENDMENT NO. 1

On page 1, line 2, between "reenact" and "Code" insert "R.S. 23:1127," and on line 3, after "510" insert "(E)"

#### AMENDMENT NO. 2

On page 1, line 4, after "3734" and before "and" delete the comma "," and "R.S. 23:1127," and after "40:1299.96" insert "and Code of Evidence Article 510(F) and (G),"

#### AMENDMENT NO. 3

On page 2, delete lines 13 through 15 and insert the following:

"medical records" also includes autopsy reports and documents from other health care providers produced during and relating to the course of testing or treatment of the patient by the health care provider. The health care provider shall have a policy which further defines "medical records" for its own practice to include or not include copies of the medical records of other health care providers not produced during and relating to the course of testing or treatment of the patient by the health care provider but which are in the possession of the health care provider."

#### AMENDMENT NO. 4

On page 4, delete lines 11 through 13 and insert the following:

"(d) A signed authorization shall remain in effect until it expires by its terms or until it is revoked by the patient or the patient's legally authorized representative. If the authorization contains no expiration date, it shall expire after six months from its date. No authorization shall be valid unless it contains a date of signature by the patient or the patient's legally authorized representative."

#### AMENDMENT NO. 5

On page 4, at the end of line 26, delete "and" and on page 5, at the beginning of line 1, delete "at the time of service of the subpoena"

#### AMENDMENT NO. 6

On page 5, line 5, after "the" and before "of" change "issuance" to "service"

#### AMENDMENT NO. 7

On page 6, line 10, after "be" and before "without" insert "invalid and"

#### AMENDMENT NO. 8

On page 6, line 21, after "order" and before the period "." insert the following:

"and if the health care provider defines medical records to not include the medical records of other health care providers not produced during and relating to the course of testing or treatment of the patient by the health care provider but which are in the possession of the health care provider."

#### AMENDMENT NO. 9

On page 11, at the end of line 16, insert the following:

"The health care provider seeking medical records or medical information under this Subsection without a signed authorization, subpoena, court order, or formal discovery shall, if requested, furnish to the health care provider a written statement attesting to the fact that the criteria hereof are met."

Section 2. R.S. 23:1127 is hereby amended and reenacted to read as follows:

§1127. Release of medical records and information

A. In any claim for compensation, a health care provider who has at any time treated the employee in relation to the compensation claim, shall release any requested medical information and records relative to the employee's injury, to the employee, employer, or its workers' compensation insurer or the agent or representative of the employee, employer, or its workers' compensation insurer. Any information relative to any other treatment or condition shall be

available to the employer or his workers' compensation insurer by subpoena or through a written release by the claimant.

B. Any medical information released pursuant to this Section shall be released in writing. Whenever a copy is provided to the employer or its workers' compensation insurer, the employee shall be notified and a copy shall also be furnished or made available to the employee at that time at no cost to him simultaneously with it being furnished to the employer or its insurer. The health care provider shall be reimbursed by the party making the request for any copy made pursuant to this Section under R.S. 13:3715.2. The cost of any copy furnished to the employee as a result of a request by the employer or insurer under this Section shall be reimbursed by the party making the original request. Any such records or information furnished to the employer or insurer pursuant to this Section shall be held confidential by them, and the employer or insurer shall be liable to the employee for any actual damages sustained by him as a result of a breach of this confidence up to a maximum of one thousand dollars, plus all reasonable attorney fees necessary to recover such damages. An exception to this breach of confidentiality shall be any introduction or use of such information in a court of law, or before the office of workers' compensation administration or the Louisiana Workers' Compensation Second Injury Board."

AMENDMENT NO. 10

On page 11, line 17, change "Section 2." to "Section 3."

AMENDMENT NO. 11

On page 12, line 3, change "Section 3." to "Section 4."

AMENDMENT NO. 12

On page 12, line 14, change "Section 4." to "Section 5." and after "3734," and before "and" delete the comma "," and "R.S. 23:1127,"

AMENDMENT NO. 13

On page 12, line 16, change "Section 5." to "Section 6."

On motion of Rep. McMains, the amendments were adopted.

On motion of Rep. McMains, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1999—**

BY REPRESENTATIVES POWELL, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 39:1643(A) and 1644(B) and (D), relative to acquisition of housing space; to provide for procurement of certain leased office or building space by public bid; to provide for amending and adjusting lease payments; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 2104—**

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 47:301(10)(a)(iii), and (18)(a)(iii), relative to political subdivision sales and use tax; to exclude from such tax tangible personal property purchased, leased, or rented which is, in turn, leased or rented; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Alario, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2106—**

BY REPRESENTATIVES WALSWORTH, TRICHE, AND WELCH

AN ACT

To amend and reenact R.S. 29:288, relative to veterans affairs; to provide educational benefits for children of certain veterans; to provide conditions and for certain determinations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 2151—**

BY REPRESENTATIVE GREEN

AN ACT

To amend and reenact R.S. 35:1.1, 191(A)(1), and 201(A), relative to notaries; to provide for the appointment of notaries; to provide for the validity of certain prior appointments; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 2151 by Representative Green

AMENDMENT NO. 1

On page 1, at the end of line 17, add the following:

"which was based on the location of the office maintained by the applicant and"

AMENDMENT NO. 2

On page 2, delete lines 11 through 20 and insert the following:

"(3) Each notary public to whom the provisions of this Section apply shall remain validly appointed and commissioned in and for the parish of their commission, subject to all other laws governing their

appointment, as long as they continue to maintain an office in that parish."

On motion of Rep. McMains, the amendments were adopted.

On motion of Rep. McMains, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 2161—**

BY REPRESENTATIVE JOHN SMITH  
AN ACT

To amend and reenact R.S. 56:797(C) and 798(B), relative to investment of certain special funds; to authorize investment of the Rockefeller Foundation Wildlife Refuge and Game Preserve Fund and the Russell Sage or Marsh Island Refuge Fund in stocks, bonds, and certain government securities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 2165—**

BY REPRESENTATIVE THORNHILL  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1998-1999 to be used to pay the legal expenses incurred by the Honorable Patricia Hedges, state district court judge, relative to her successful defense of criminal charges brought against her; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 2165 by Representative Thornhill

##### AMENDMENT NO. 1

On page 1, lines 3 and 10, after "Year" and before "to be", change "1999-2000" to "1998-1999"

##### AMENDMENT NO. 2

On page 1, line 17, after "effective on" and before "; if vetoed", change "July 1, 1999" to "May 31, 1999"

##### AMENDMENT NO. 3

On page 2, line 1, after "effective on" and before ", or on", change "July 1, 1999" to "May 31, 1999"

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

#### **HOUSE BILL NO. 2168—**

BY REPRESENTATIVES MCMAINS, FONTENOT, AND KENNARD  
AN ACT

To amend and reenact R.S. 38:3301 and 3309, relative to the Amite River Basin Drainage and Water Conservation District; to provide for the geographical boundaries of the district; to provide relative to Comite River Diversion Canal Impact Area; to provide relative to taxing authority of the district; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 2168 by Representative McMains

##### AMENDMENT NO. 1

On page 1, line 10, after the semicolon ";," and before "Comite" insert "limits of"

##### AMENDMENT NO. 2

On page 3, line 2, after "boundary" and before "Section" change "to" to "of"

##### AMENDMENT NO. 3

On page 3, line 9, after "in" and before "southwesterly" change "an" to "a"

##### AMENDMENT NO. 4

On page 9, line 5, change "T5S-R1W" to "T6S-R1W"

##### AMENDMENT NO. 5

On page 19, line 4, after "in" and before "northerly" change "an" to "a"

##### AMENDMENT NO. 6

On page 19, line 9, after "in" and before "northerly" change "an" to "a"

##### AMENDMENT NO. 7

On page 19, line 26, after "in" and before "easterly" change "a" to "an"

##### AMENDMENT NO. 8

On page 23, at the beginning of line 11, change "along" to "with"

##### AMENDMENT NO. 9

On page 24, at the end of line 19, change "an" to "a"

##### AMENDMENT NO. 10

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On page 24, delete lines 23 through 26, and on page 25, delete lines 1 and 2, and insert in lieu thereof the following:

"intersection with U.S. Highway 61 (Airline Hwy.); thence proceed in a northwesterly direction along U.S. Highway 61 to its intersection with South Sherwood Forest Boulevard; thence proceed in"

### AMENDMENT NO. 11

On page 25, line 25, after "line" and before "Section" insert "of"

### AMENDMENT NO. 12

On page 26, line 20, change "Section" to "Sections"

### AMENDMENT NO. 13

On page 27, line 23, change "TS5-R1W" to "T5S-R1W"

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

### **HOUSE BILL NO. 2197—**

BY REPRESENTATIVE FLAVIN

#### AN ACT

To enact R.S. 38:2220.1 through 2220.4, relative to public contracts; to authorize and provide for certain causes of action; to authorize a cause of action against violators of the Public Bid Law; to provide relative to the persons eligible to institute such an action; to provide certain procedures, requirements, terms and conditions; to provide relative to the office of the attorney general; to provide for orders, recovery, and certain awards by the court; to provide for protection from disciplinary proceedings; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 2197 by Representative Flavin

### AMENDMENT NO. 1

On page 2, between lines 23 and 24, insert the following:

"(3) When the public entity has depended upon the written opinion of the attorney general that the action taken by the public entity would be in compliance with law, the public entity shall not be liable for the costs and attorney fees of the adverse party."

### AMENDMENT NO. 2

On page 3, line 25, after "to the" and before "plaintiff" insert "principal" and after "plaintiff" and before the comma insert "as determined by the court"

### AMENDMENT NO. 3

On page 3, line 26, after "fees." and before "However" insert the following:

"The court shall also award to any prevailing defendant costs and reasonable attorney fees. The court shall upon the insolvency of the plaintiff being shown, require security of such plaintiff in amounts sufficient to cover costs and reasonable attorney fees."

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 2198—**

BY REPRESENTATIVE FRITH

#### AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1999-2000 to the Department of Wildlife and Fisheries to pay the judgment in the class action suit entitled "Odilon Marceaux, et al v. State of Louisiana, Virginia Van Sickle, Department of Wildlife and Fisheries, Louisiana Wildlife and Fisheries Commission, and Herbert L. Sumrall"; to provide for interest, court costs, and certain retirement obligations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 2198 by Representative Frith

### AMENDMENT NO. 1

On page 1, line 7, after "interest", delete the remainder of the line, insert a comma "," and insert "court costs, and certain retirement obligations; and to"

### AMENDMENT NO. 2

On page 1, line 11, after "estimated,", delete the remainder of the line, and at the beginning of line 12, delete "demand and court costs,"

### AMENDMENT NO. 3

On page 1, at the end of line 17, before the period "." insert a comma "," and insert the following:

"to include interest on the award from the date of judicial demand until paid, the payment of which interest shall be based on the due date of each payment due each member of the class, plus court costs and any related retirement contributions and interest thereon which may be due the Louisiana State Employees Retirement System."

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2203—**

BY REPRESENTATIVE SCALISE AND SENATOR HAINKEL  
AN ACT

To amend and reenact R.S. 39:1536(A) and to enact R.S. 39:1543 (D), relative to risk management; to provide for implementation of loss prevention audits and associated premium adjustments for higher education agencies; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 2208—**

BY REPRESENTATIVES COPELIN, CHAISSON, DANIEL, DURAND, FAUCHEUX, GLOVER, HEATON, HILL, LANDRIEU, MCCAIN, MONTGOMERY, ODINET, PIERRE, WARNER, AND WILLARD  
AN ACT

To amend and reenact Section 4.A. of Act No. 541 of the 1976 Regular Session of the Louisiana Legislature, as amended by Act No. 499 of the 1978 Regular Session of the Louisiana Legislature, Act No. 449 of the 1980 Regular Session of the Louisiana Legislature, Act No. 927 of the 1981 Regular Session of the Louisiana Legislature, Act No. 478 of the 1984 Regular Session of the Louisiana Legislature, Act No. 259 of the 1989 Regular Session of the Louisiana Legislature, and Act No. 640 of the 1993 Regular Session of the Louisiana Legislature, relative to the Louisiana Stadium and Exposition District; to require legislative approval of any amendment to the contract or lease with the New Orleans franchise of the National Football League and of any contract or lease of the multi-purpose facility with a professional sports franchise; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 2208 by Representative Copelin

**AMENDMENT NO. 1**

On page 1, line 12, after "League" and before the semicolon ";" insert "and of any contract or lease of the multi-purpose facility with a professional sports franchise"

**AMENDMENT NO. 2**

On page 3, line 4, after "legislature." and before "Notwithstanding" insert:

"The state of Louisiana, through the governor, shall not confect, execute, or enter into any contract or lease with a professional sports franchise for the use, lease, or rental of the multi-purpose facility authorized by Act 640 of the 1993 Regular Session of the Legislature without the express approval of both houses of the legislature."

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the bill, as amended, was ordered

engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2211—**

BY REPRESENTATIVE GUILLORY  
AN ACT

To enact R.S. 30:207.1, relative to the Department of Environmental Quality; to provide relative to reporting of illegal disposal of hazardous waste by tank truck, trailer, or other vehicle; to authorize the development of an environmental crimestoppers program; to provide duties, terms, conditions, procedures, and requirements; to provide relative to reward amounts; to provide for rules and regulations; to provide for confidentiality; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Environment to Original House Bill No. 2211 by Representative Guillory

**AMENDMENT NO. 1**

On page 1, line 3, change "environmental violations" to "illegal disposal of hazardous waste by tank truck, trailer, or other vehicle"

**AMENDMENT NO. 2**

On page 1, line 11, change "environmental violations" to "illegal disposal of hazardous waste by tank truck, trailer, or other vehicle"

**AMENDMENT NO. 3**

On page 1, line 13, after "within the" insert "office of the secretary of the"

**AMENDMENT NO. 4**

On page 1, line 17, change "environmental violations" to "illegal disposal of hazardous waste by tank truck, trailer, or other vehicle"

**AMENDMENT NO. 5**

On page 2, line 2, change "environmental violations" to "illegal disposal of hazardous waste by tank truck, trailer, or other vehicle"

**AMENDMENT NO. 6**

On page 2, line 5, change "environmental violations" to "illegal disposal of hazardous waste by tank truck, trailer, or other vehicle"

**AMENDMENT NO. 7**

On page 2, line 6, change "environmental" to "illegal disposal of hazardous waste by tank truck, trailer, or other vehicle." and delete line 7

**AMENDMENT NO. 8**

On page 2, after line 15, insert the following:

"D. For the purpose of this Section, "illegal disposal of hazardous waste by tank truck, trailer, or other vehicle" is the

intentional disposal of hazardous wastes as defined in this Subtitle by any person, while utilizing any type of truck, trailer, tanker or other highway or road transportation vehicle, by methods, means, processes or procedures that are not authorized by law or rule."

On motion of Rep. Damico, the amendments were adopted.

On motion of Rep. Damico, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2271 (Substitute Bill for House Bill No. 657 by Representative DeWitt)—**  
BY REPRESENTATIVE DEWITT

**A JOINT RESOLUTION**

Proposing to amend Article III, Section 1(A) of the Constitution of Louisiana, relative to the exercise of legislative power; to provide that for a certain time period the legislature may submit certain laws to the electorate for approval or rejection by referendum and to provide for effectiveness of such laws upon such approval; to provide for a limitation on the number of referenda during a certain time period; to provide for certain restrictions and requirements; to provide for the powers of the legislature relative thereto; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed House Bill No. 2271 by Representative DeWitt

**AMENDMENT NO. 1**

On page 5, at the end of line 6, delete "may be"

**AMENDMENT NO. 2**

On page 5, delete line 7 and insert in lieu thereof the following:

"by a two-thirds vote of the legislature may be proposed as a referendum;"

On motion of Rep. McMains, the amendments were adopted.

On motion of Rep. McMains, the bill, as amended, was ordered reengrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**Senate Instruments on Second Reading  
Returned from the Legislative Bureau**

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

**SENATE BILL NO. 126—**

BY SENATOR BEAN

**AN ACT**

To amend and reenact R.S. 32:1521(B) and to enact R.S. 32:1521(C), (D), (E), (F), (G), (H), and (I), relative to hazardous materials transportation; to prohibit motor carriers from transporting hazardous materials within three hundred yards of certain schools in certain areas; to designate certain routes for the transportation of hazardous materials; to provide for penalties for certain violations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Environment to Reengrossed Senate Bill No. 126 by Senator Bean

**AMENDMENT NO. 1**

On page 2, line 4, after "local" insert "pickups or" and after "deliveries" change "on this portion of" to "carriers using the route to reach a local pickup or delivery point, or carriers using the route to reach maintenance or service facilities."

**AMENDMENT NO. 2**

On page 2, delete line 5 in its entirety

**AMENDMENT NO. 3**

On page 2, line 11, after "local" insert "pickups or" and after "deliveries" change "on this" to "carriers using the route to reach a local pickup or delivery point, or carriers using the route to reach maintenance or service facilities."

**AMENDMENT NO. 4**

On page 2, delete line 12 in its entirety

**AMENDMENT NO. 5**

On page 2, line 18, after "local" insert "pickups or" and after "deliveries" change "on this portion of" to "carriers using the route to reach a local pickup or delivery point, or carriers using the route to reach maintenance or service facilities."

**AMENDMENT NO. 6**

On page 2, delete line 19 in its entirety

**AMENDMENT NO. 7**

On page 2, delete lines 21 through 25 and insert the following:

"E. Except for carriers making local pickups or deliveries, carriers using the route to reach a local pickup or delivery point, or carriers using the route to reach maintenance or service facilities within the boundaries of the parish, no carrier shall transport hazardous materials in the parishes of Caddo or Bossier, except on the following routes:"

**AMENDMENT NO. 8**

On page 3, between lines 16 and 17, add the following:

"(10) U.S. Highway 80 from the Louisiana-Texas state boundary to Greenwood, Louisiana."

AMENDMENT NO. 9

On page 3, delete lines 19 and 20, and insert "in the parishes of Caddo or Bossier within"

AMENDMENT NO. 10

On page 3, delete line 23, and insert "pickups or deliveries, carriers using the route to reach a local pickup or delivery point, or carriers using the route to reach maintenance or service facilities within the boundaries of the parishes."

AMENDMENT NO. 11

On page 3, delete lines 25 through 27 and insert "Except for carriers making local pickups and deliveries, carriers using the route to reach a local pickup or delivery point, or carriers using the route to reach maintenance or service facilities, no carriers shall transport hazardous materials in the parishes of Caddo and Bossier."

AMENDMENT NO. 12

On page 4, delete line 1 and insert "except on the following"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 126 by Senator Bean

AMENDMENT NO. 1

In House Committee Amendment No. 11 proposed by the House Committee on Environment to Reengrossed Senate Bill No. 126 by Senator Bean, adopted by the House on May 11, 1999, on line 9, after "page 3," insert "following G."

On motion of Rep. Damico, the amendments were adopted.

On motion of Rep. Damico, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 155—**  
BY SENATOR SMITH

AN ACT

To enact R.S. 37:3124(C), relative to buyer's fees at auctions; to provide for advertisement of buyer's fees; to provide for the posting of the amount of the buyer's fee; to provide for the announcement of the buyer's fee; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Travis, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 188—**  
BY SENATOR W. FIELDS

AN ACT

To enact R.S. 9:3538.1, relative to Louisiana consumer credit law; to provide that consumers shall have the right to cancel a mail and check solicitation sale; provides time period for cancellation; provides for warning language; provides for notice of cancellation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Travis, the bill was ordered passed to its third reading.

Under the rules, placed on the local and consent calendar.

**SENATE BILL NO. 413 (Duplicate of House Bill No. 1341)—**  
BY SENATOR HEITMEIER AND REPRESENTATIVE TRAVIS AND  
COAUTHORED BY SENATORS HOLLIS, BEAN, BRANCH, DYESS,  
JORDAN, MALONE, SCHEDLER, SMITH, AND THOMAS, AND  
REPRESENTATIVES BARTON, CHAISSON, CLARKSON, DIEZ, DIMOS,  
FLAVIN, FRITH, GAUTREAUX, GLOVER, HEATON, HEBERT, HILL,  
HOPKINS, JOHNS, LANCASTER, LONG, MARTINY, McDONALD,  
McMAINS, MICHOT, MONTGOMERY, PERKINS, PIERRE, PINAC,  
POWELL, SCALISE, SCHNEIDER, SCHWEGMANN, J.D. SMITH, STELLY,  
THOMPSON, TRICHE, WADDELL, WALSWORTH, AND WIGGINS

AN ACT

To amend and reenact R.S. 9:3141, 3143(1) and (3), 3144(A), (B)(2), and (C), relative to the New Home Warranty Act; to provide for its purpose; to provide for definitions; to provide for exclusions; to provide for exclusiveness of the provisions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Travis, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 646—**  
BY SENATOR SMITH

AN ACT

To enact R.S. 9:3518.2, relative to credit cards; to prohibit the unsolicited delivery or issuance of credit cards and certain other activities; to provide penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Travis, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 850—**

BY SENATOR DARDENNE

AN ACT

To enact R.S. 37:2950(D)(3), relative to the effect of felony convictions on trade or occupational and professional licensing; to provide for certain exemptions for the Louisiana State Board of Private Investigator Examiners; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Travis, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 851—**

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:3503(4), 3505(A)(1), (B)(6), (C) and (D), 3506, 3510(C), 3514(F)(1), the introductory paragraphs of both 3516(A)(1) and (2), and 3518, and to enact R.S. 37:3507.2, relative to private investigators; to provide for definitions; to provide for the powers, duties and responsibilities of the board; to provide for the position of executive director and his duties; to provide for types of licenses; to provide for time period for retaking licensing examination; to provide for the term of registration cards; to provide with respect to reciprocity; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Travis, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 898—**

BY SENATOR C. FIELDS

AN ACT

To enact R.S. 40:1662.18, relative to electronic protective systems; to provide for certain obligations by alarm contracting companies; to provide for penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 898 by Senator C. Fields

**AMENDMENT NO. 1**

On page 1, line 11, after "immediately" delete the remainder of the line and at the beginning of line 12, delete "operate the electronic protective system" and insert in lieu thereof "return the lockout,

installer, or programming code of the electronic protective system to the factory default setting"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Travis, the amendments were adopted.

On motion of Rep. Travis, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the local and consent calendar.

**SENATE BILL NO. 931—**

BY SENATORS JOHNSON, BAJOEI, W. FIELDS, HAINKEL, HOLLIS AND SMITH

AN ACT

To amend and reenact R.S. 37:1861(A), and to enact Part II-A of Chapter 21 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1871 through 1881, relative to antique dealers; to provide for definitions of "antique dealer" and "cemetery artifacts"; to provide for prohibited acts and purchases; to provide for reporting requirements; to provide for recordkeeping; to provide for violations and penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 931 by Senators Johnson, et al.

**AMENDMENT NO. 1**

On page 3, line 2, after "person" and before "engaged" delete "in the city"

**AMENDMENT NO. 2**

On page 4, line 10, after "department" and before "or" insert "of the municipality" and on line 11, after "office" and before the period ":" insert "of the parish in which the business is located"

**AMENDMENT NO. 3**

On page 4, line 15, after "police" delete the remainder of the line and insert in lieu thereof "of the municipality or the sheriff of the parish in which the dealer is located, as appropriate."

**AMENDMENT NO. 4**

On page 6, line 8, after "furnished" delete the remainder of the line and insert in lieu thereof ", upon application, by the police department of the municipality or the sheriff's office of the parish in which the business is located."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Travis, the amendments were adopted.

On motion of Rep. Travis, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the local and consent calendar.

### Senate Bills on Second Reading Reported by Committees

The following Senate Bills and Joint Resolutions on second reading reported by committees were taken up and acted upon as follows:

#### SENATE BILL NO. 110—

BY SENATORS HOLLIS, BEAN, CAIN, COX, DYESS, HAINKEL, HINES, LAMBERT, LANDRY, LENTINI, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS, ULLO, BAJOE, BARHAM, BOISSIERE, CAMPBELL, CRAVINS, DARDENNE, DEAN, ELLINGTON, EWING, C. FIELDS, W. FIELDS, GREENE, IRONS, JORDAN, MALONE AND ROBICHAUX AND REPRESENTATIVES ANSARDI, BARTON, BAYLOR, BOWLER, BRUCE, BRUNEAU, CHAISSON, CLARKSON, DAMICO, DOERGE, DUPRE, DURAND, FAUCHEUX, FRITH, GAUTREAU, GLOVER, HEATON, HEBERT, HILL, HOLDEN, JENKINS, JOHNS, KENNARD, LANCASTER, LANDRIEU, LONG, McDONALD, MICHOT, MONTGOMERY, MURRAY, ODINET, PERKINS, PINAC, POWELL, QUEZAIRE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, STELLY, VITTER, WADDELL, WESTON, WIGGINS AND WINDHORST

#### AN ACT

To enact R.S. 32:429.1, relative to the Department of Public Safety and Corrections; to provide for the establishment of a toll free hotline in the Department of Public Safety and Corrections; to provide for the accurate and complete information to be provided and the hours of operation; to require the hotline be operated by a person; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Under the rules, the bill was recommitted to the Committee on Appropriations.

#### SENATE BILL NO. 146—

BY SENATOR LENTINI

#### AN ACT

To enact R.S. 48:278, relative to highways; to provide relative to limited access highways; to discourage peak time construction and maintenance work on such highways in certain areas; to encourage preference for night time construction and maintenance work on such highways in certain areas; to authorize the Department of Transportation and Development to determine exceptions; to provide for a determination by oversight committee; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Under the rules, the bill was recommitted to the Committee on Appropriations.

### Special Order of the Day

The following legislative instruments on Special Order were taken up and acted upon as follows:

#### HOUSE BILL NO. 2—

BY REPRESENTATIVES ALARIO, LEBLANC, AND DOWNER AND SENATORS BARHAM AND HAINKEL

#### AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related

matters.

Read by title.

Rep. Alario sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Alario and LeBlanc to Reengrossed House Bill No. 2 by Representative Alario

#### AMENDMENT NO. 1

On page 21, delete lines 36 through 38, and insert the following:

"Priority 2	\$ 2,105,000
Priority 5	\$ 4,105,000
Total	\$ 6,510,000"

#### AMENDMENT NO. 2

On page 27, delete lines 40 and 41, and insert the following:

"Priority 2	\$ 1,000,000
Priority 5	\$ 4,000,000"

#### AMENDMENT NO. 3

On page 29, delete lines 37 and 38, and insert the following:

"Priority 2	\$ 700,000
Priority 5	\$ 970,000"

#### AMENDMENT NO. 4

On page 65, delete lines 22 through 24, and insert the following:

"Fund Surplus	\$ 12,400,000
Payable from State General Fund	
from Tobacco Settlement Revenues	\$ 2,600,000"

#### AMENDMENT NO. 5

On page 79, between lines 24 and 25, insert the following:

"(1315) Leeville Bridge - LA 1 - Study (Lafourche) Payable from General Obligation Bonds Priority 4	\$ 250,000"
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#### AMENDMENT NO. 6

On page 81, delete lines 19 through 23, and insert the following:

"Tobacco Settlement Revenues	\$ 843,000"
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#### AMENDMENT NO. 7

On page 82, between lines 22 and 23, insert the following:

"(671) Plantation Pump Station, St. Mary Parish Gravity Sub-Drainage District #1 of the Gravity Drainage District #2, Planning (St. Mary) Payable from FY 97-98 State General Fund Surplus	\$ 100,000"
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### AMENDMENT NO. 8

On page 83, between lines 16 and 17, insert the following:

"Payable from FY 97-98 State General Fund Surplus	\$ 200,000"
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### AMENDMENT NO. 9

On page 83, delete line 18, and insert the following:

"Priority 2	\$ 20,000
Total	\$ 220,000"

### AMENDMENT NO. 10

On page 85, between lines 8 and 9, insert the following:

#### **"50/J59 WASHINGTON PARISH**

( ) Bogue Chitto Boat Ramp, Planning and Construction (Washington) Payable from General Obligation Bonds Priority 2	\$ 75,000"
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### AMENDMENT NO. 11

On page 88, delete lines 8 through 10, and insert the following:

"Priority 5	\$ 1,300,000
Total	\$ 1,500,000"

### AMENDMENT NO. 12

On page 92, between lines 34 and 35, insert the following:

"(735) Louisiana Sports Hall of Fame Museum, Planning and Construction (Natchitoches) Payable from General Obligation Bonds Priority 3	\$ 1,720,000
Priority 4	\$ 2,000,000
Total	\$ 3,720,000"

### AMENDMENT NO. 13

On page 95, delete lines 36 through 39, and insert the following:

"Priority 1	\$ 495,000
Total	\$ 745,000"

On motion of Rep. Alario, the amendments were adopted.

Rep. Alario moved the final passage of the bill, as amended.

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. Speaker	Hammett	Pinac
Alario	Heaton	Powell
Alexander	Hebert	Pratt
Ansardi	Hill	Quezaire
Barton	Holden	Riddle
Baudoin	Hopkins	Romero
Baylor	Hudson	Salter

Bowler	Hunter	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Carter	Jetson	Shaw
Chaisson	Kennard	Smith, J.D.—50th
Clarkson	Kenney	Smith, J.R.—30th
Copelin	Lancaster	Sneed
Crane	Landrieu	Stelly
Damico	LeBlanc	Theriot
Daniel	Long	Thompson
Denville	Marionneaux	Thornhill
DeWitt	Martiny	Toomy
Diez	McCain	Travis
Doerge	McCallum	Triche
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Faucheux	Montgomery	Weston
Fontenot	Morrell	Wiggins
Frith	Morrish	Wilkerson
Fruge	Murray	Willard
Gautreaux	Nevers	Windhorst
Glover	Odinot	Winston
Green	Perkins	Wooton
Guillory	Pierre	Wright
Total—99		

NAYS

Total—0

ABSENT

Curtis	Johns
Flavin	Strain
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### **Suspension of the Rules**

On motion of Rep. Alario, the rules were suspended in order to take up House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

### **House Bills and Joint Resolutions on Third Reading and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

### **Regular Calendar**

#### **HOUSE BILL NO. 3— BY REPRESENTATIVE ALARIO AN ACT**

To enact the Omnibus Bond Authorization Act of 1999, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

**Suspension of the Rules**

On motion of Rep. Alario, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

Rep. Alario moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Guillory	Powell
Alario	Hammett	Pratt
Alexander	Heaton	Quezaire
Ansardi	Hebert	Riddle
Barton	Hill	Romero
Baudoin	Holden	Salter
Baylor	Hopkins	Scalise
Bowler	Hudson	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Iles	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Kenney	Smith, J.R.—30th
Clarkson	Lancaster	Sneed
Copelin	Landrieu	Stelly
Crane	LeBlanc	Theriot
Curtis	Long	Thompson
Damico	Marionneaux	Thornhill
Daniel	Martiny	Toomy
Deville	McCain	Travis
DeWitt	McCallum	Triche
Diez	McDonald	Waddell
Doerge	McMains	Walsworth
Donelon	Michot	Warner
Dupre	Mitchell	Welch
Durand	Montgomery	Weston
Farve	Morrell	Wiggins
Fauchaux	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Nevers	Windhorst
Fruge	Odinot	Winston
Gautreaux	Perkins	Wooton
Glover	Pierre	Wright
Green	Pinac	
Total—98		

**NAYS**

Jenkins  
Total—1

**ABSENT**

Flavin	Kennard
Johns	Strain
Total—4	

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On motion of Rep. LeBlanc, the rules were suspended in order to take up Special Order of the Day at this time.

**Special Order of the Day**

The following legislative instruments on Special Order were taken up and acted upon as follows:

**HOUSE BILL NO. 2027—**

BY REPRESENTATIVE LEBLANC

**AN ACT**

To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for the funding of said agencies and purposes during the 1998-1999 Fiscal Year; and to provide for related matters.

Read by title.

Rep. Montgomery sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Montgomery to Engrossed House Bill No. 2027 by Representative LeBlanc

**AMENDMENT NO. 1**

On page 1, line 8, change "Thirty-seven" to "Forty" and on line 9, change "\$8,037,544.00" to "\$8,040,544.00"

**AMENDMENT NO. 2**

On page 2, delete lines 31 through 36 in their entirety and insert in lieu thereof the following:

"Payable out of the State General Fund (Direct) to refund certain civil penalties assessed against and paid by licensees in the amount of \$1,000 per licensed location, as follows: Cascio's Park-N-Shop, Inc. License No. 0904210071 and Apple Arkansas, Inc., License Nos. 0904210035, 0904205087, and 0801209023, all pursuant to Operation Child's Play conducted during the period August 27-28 and November 1 through December 5, 1998

\$ 4,000"

On motion of Rep. Montgomery, the amendments were adopted.

Rep. LeBlanc moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Guillory	Powell
Alario	Hammett	Pratt
Alexander	Heaton	Quezaire
Ansardi	Hebert	Riddle
Barton	Hill	Romero
Baudoin	Holden	Salter
Baylor	Hopkins	Scalise
Bowler	Hudson	Schneider

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Bruce	Hunter	Schwegmann
Bruneau	Iles	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Sneed
Copelin	Kenney	Stelly
Crane	Lancaster	Theriot
Curtis	Landrieu	Thompson
Damico	LeBlanc	Thornhill
Daniel	Long	Toomy
Denville	Marionneaux	Travis
DeWitt	Martiny	Triche
Diez	McCain	Waddell
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner
Dupre	McMains	Welch
Durand	Michot	Weston
Farve	Montgomery	Wiggins
Faucheux	Morrell	Wilkerson
Flavin	Morrish	Willard
Fontenot	Murray	Windhorst
Frith	Nevers	Winston
Fruge	Odinot	Wooton
Gautreaux	Perkins	Wright
Glover	Pierre	
Green	Pinac	
Total—100		

NAYS

Total—0

ABSENT

Jenkins	Mitchell	Strain
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LeBlanc moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Suspension of the Rules

On motion of Rep. LeBlanc, the rules were suspended in order to take up House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

### House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

### Major State Calendar

#### HOUSE BILL NO. 2145—

BY REPRESENTATIVE LEBLANC

AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 1999-2000; and to provide for related matters.

Read by title.

Rep. Winston sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Winston to Engrossed House Bill No. 2145 by Representative LeBlanc

#### AMENDMENT NO. 1

On page 38, line 2, after "Society" delete the remainder of the line and delete line 3 in its entirety.

On motion of Rep. Winston, the amendments were adopted.

Rep. Long sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Long to Engrossed House Bill No. 2145 by Representative LeBlanc

#### AMENDMENT NO. 1

On page 36, between lines 6 and 7, insert the following:

"Library -- .21 mills/1979

Library -- 3 mills/1999"

On motion of Rep. Long, the amendments were adopted.

Rep. McDonald sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald to Engrossed House Bill No. 2145 by Representative LeBlanc

#### AMENDMENT NO. 1

On page 28, between lines 18 and 19, insert the following:

"Green Oaks Juvenile Detention Home -- 3.75 mills/1996

Library -- 7.75 mills/1995"

On motion of Rep. McDonald, the amendments were adopted.

Rep. LeBlanc moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th

Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Fauchoux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinet	Wooton
Green	Perkins	Wright
Total—102		

NAYS

Total—0

ABSENT

Strain  
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LeBlanc moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

### Major State Calendar

**SENATE BILL NO. 297 (Duplicate of House Bill No. 1792)—**  
BY SENATOR GREENE AND REPRESENTATIVE McDONALD AND  
COAUTHORED BY REPRESENTATIVE DOWNER

#### AN ACT

To amend and reenact R.S. 17:46(A) through (G) and (N), 1171(A), 1172 through 1177, and 1184, relative to sabbatical leave for teachers and college faculty; to repeal the authority for the granting of such leaves for rest and recuperation; to provide relative to the effect of such repeal on leaves previously granted; to provide for the granting of medical sabbatical leaves; to provide for the application and eligibility requirements for such medical sabbatical leaves; and to provide for related matters.

Read by title.

Rep. McDonald sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald to Reengrossed Senate Bill No. 297 by Senator Greene, et al. (Duplicate of H.B. No. 1792)

#### AMENDMENT NO. 1

Delete conforming House Floor Amendment No. 1 proposed by Representative McDonald and adopted by the House on May 7, 1999.

#### AMENDMENT NO. 2

On page 1, line 2, after "17:46(A)" delete the remainder of the line and delete lines 3 through 8 in their entirety and insert a comma "," and the following:

"(C), (D), (E), (G), and (N), 1171(A), 1173, 1174, 1175, 1177, and 1184 and to enact R.S. 17:46(R) and 1188, relative to sabbatical leave for teachers and certain others; to provide for eligibility; to provide for the manner in which leave may be spent; to provide for compensation while on leave; to provide limitations on other employment while on sabbatical leave; to remove rest and recuperation as a grounds for taking sabbatical leave; to provide for medical and recuperative sabbatical leave; to provide guidelines, procedures, and limitations for such leave; to provide for the use of certain monetary savings resulting; and to provide for"

#### AMENDMENT NO. 3

Delete conforming House Floor Amendment No. 2 proposed by Representative McDonald and adopted by the House on May 7, 1999.

#### AMENDMENT NO. 4

On page 1, line 11, after "17:46(A)" delete the remainder of the line and on line 12, delete "1177, and 1184" and insert a comma "," and add "(C), (D), (E), (G), and (N), 1171(A), 1173, 1174, 1175, 1177, and 1184"

#### AMENDMENT NO. 5

Delete conforming House Floor Amendment No. 6 proposed by Representative McDonald and adopted by the House on May 7, 1999.

#### AMENDMENT NO. 6

On page 2, at the end of line 6, insert the following:

"However, no such person having at least thirty or more years of service in the public elementary and secondary schools of this state shall be eligible for sabbatical leave for the purpose of professional or cultural improvement. Additionally, prior to being placed on sabbatical leave for medical and recuperative purposes, the employee shall have used any current year sick leave allowed the employee pursuant to law and policy of the governing authority of the special school."

#### AMENDMENT NO. 7

Delete conforming House Floor Amendment No. 18 proposed by Representative McDonald and adopted by the House on May 7, 1999.

#### AMENDMENT NO. 8

On page 4 delete line 20 in its entirety and insert the following:

"health of the applicant is such that the granting of such leave would be proper and justifiable. One physician shall be the physician who is treating the employee. The second physician shall be designated by the governing authority of the special school. If the sworn statement submitted by the second physician disagrees with the sworn statement submitted by the physician who is treating the employee, a sworn statement from a third physician selected jointly by the two

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physicians in disagreement shall be required. This physician shall be a specialist in the appropriate field. If the two physicians in disagreement are unable to agree on the third physician, then the third physician shall be selected by the governing authority of the special school from a list of appropriate physicians maintained by the governing authority for this purpose and developed in consultation with the local medical society in the area in which the special school is located. The sworn statement from the third physician shall be determinative of the issue. All costs of an examination and any necessary tests by the second or third physician, or both, shall be paid by the governing authority of the special school."

### AMENDMENT NO. 9

Delete conforming House Floor Amendment No. 20 proposed by Representative McDonald and adopted by the House on May 7, 1999.

### AMENDMENT NO. 10

On page 6 delete lines 2 through 16 in their entirety and insert in lieu thereof the following:

"G.(1) Every person on sabbatical leave for ~~the purpose of rest and recuperation~~ medical and recuperative purposes shall spend such leave in a manner calculated to attain that purpose.

### AMENDMENT NO. 11

On page 7, between lines 7 and 8, insert the following:

"(3)(a) Each person granted sabbatical leave, as a condition of the leave, shall be prohibited from being employed during his leave by any public or private elementary or secondary school in Louisiana or in any other state or by any public or private postsecondary education institution in Louisiana or in any other state provided, however, that a person granted sabbatical leave for professional or cultural improvement may accept an assistantship or fellowship from a public or private postsecondary education institution.

(b) Any eligible other employment by a person granted sabbatical leave for professional or cultural improvement shall not exceed twenty hours per week and no such employment shall result in any increase in retirement benefits due the person from the state upon his retirement.

(c) Any person having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes may continue having eligible other employment while on sabbatical leave if approved by the physician who is treating the person but no such employment shall exceed twenty hours per week and no such employment shall result in any increase in benefits due the person from the state upon his retirement. Any person not having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes who seeks eligible other employment while on sabbatical leave for medical and recuperative purposes first shall have approval for any such other employment from the physician who is treating the person and from a physician designated by the governing authority of the special school but no such other employment shall exceed twenty hours per week and no such other employment shall result in any increase in retirement benefits due the person from the state upon his retirement."

### AMENDMENT NO. 12

Delete conforming House Floor Amendment No. 28 proposed by Representative McDonald and adopted by the House on May 7, 1999.

### AMENDMENT NO. 13

On page 7, between lines 26 and 27, insert the following:

"R. Any savings realized by implementing the provisions of this Subpart relative to the institution of medical and recuperative leave compared to costs previously incurred for providing sabbatical leave for purposes of rest and recuperation shall be used to fund textbooks and instructional materials or to employ additional enrichment teachers in the elementary school grades.

\* \* \*

### AMENDMENT NO. 14

Delete conforming House Floor Amendment No. 31 proposed by Representative McDonald and adopted by the House on May 7, 1999.

### AMENDMENT NO. 15

On page 8, at the end of line 9, insert the following:

"However, no such person having at least thirty or more years of service in the public elementary and secondary schools of this state shall be eligible for sabbatical leave for the purpose of professional or cultural improvement. Additionally, prior to being placed on sabbatical leave for medical and recuperative purposes, the employee shall have used any current year sick leave allowed the employee pursuant to law and school board policy."

### AMENDMENT NO. 16

Delete conforming House Floor Amendment No. 47 proposed by Representative McDonald and adopted by the House on May 7, 1999.

### AMENDMENT NO. 17

On page 10 delete line 27 in its entirety and on page 11 delete lines 1 through 27 in their entirety and on page 12 delete lines 1 through 12 in their entirety and insert in lieu thereof the following:

"(3) Every application for sabbatical leave for ~~the purpose of rest and recuperation~~ medical and recuperative purposes shall be accompanied by sworn statements from two physicians certifying that the health of the applicant is such that the granting of such leave would be proper and justifiable. One physician shall be the physician who is treating the employee. The second physician shall be designated by the school board. If the sworn statement submitted by the second physician disagrees with the sworn statement submitted by the physician who is treating the employee, a sworn statement from a third physician selected jointly by the two physicians in disagreement shall be required. This physician shall be a specialist in the appropriate field. If the two physicians in disagreement are unable to agree on the third physician, then the third physician shall be selected by the school board from a list of appropriate physicians maintained by the board for this purpose and developed in consultation with the local medical society. The sworn statement from the third physician shall be determinative of the issue. All costs of an examination and any necessary tests by the second or third physician, or both, shall be paid by the school board."

### AMENDMENT NO. 18

Delete conforming House Floor Amendment No. 53 proposed by Representative McDonald and adopted by the House on May 7, 1999.

### AMENDMENT NO. 19

On page 14 delete lines 1 through 27 in their entirety and on page 15 delete lines 1 through 17 in their entirety and insert in lieu thereof the following:

"state or by any public or private postsecondary education institution in Louisiana or in any other state provided, however, that a person granted sabbatical leave for professional or cultural improvement may accept an assistantship or fellowship from a public or private postsecondary education institution"

(4) Any eligible other employment by a person granted sabbatical leave for professional or cultural improvement shall not exceed twenty hours per week and no such employment shall result in any increase in retirement benefits due the person from the state upon his retirement.

(5) Any person having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes may continue having eligible other employment while on sabbatical leave if approved by the physician who is treating the person but no such employment shall exceed twenty hours per week and no such employment shall result in any increase in benefits due the person from the state upon his retirement. Any person not having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes who seeks eligible other employment while on sabbatical leave for medical and recuperative purposes first shall have approval for any such other employment from the physician who is treating the person and from a physician designated by the governing authority of the special school but no such other employment shall exceed twenty hours per week and no such other employment shall result in any increase in retirement benefits due the person from the state upon his retirement.

\* \* \*

#### §1184. Compensation while on leave

A. Each person granted sabbatical leave shall receive and be paid compensation at the rate of ~~fifty~~ sixty-five percent of the minimum salary allowed a beginning teacher holding a bachelor's degree in that parish or city school system; provided, however, that any person granted sabbatical leave shall have the option of electing to be paid the difference between the salary he would have received during such leave if in active service in the position from which such leave is taken and the compensation which a day-by-day substitute would receive if assigned to that position on a day-by-day basis. The daily rate paid by the board for initial or minimum periods of substitution shall be the base upon which the option provided for in this section may be elected and shall be computed and paid, and the salary of the person substituting for the person granted leave shall not be considered in computing the option person's salary at the time the leave begins.

B. Any school board may ~~pay such additional compensation to teachers on sabbatical leave~~ grant such additional leave or compensation, or both, as it may establish and fix.

\* \* \*

#### §1188. Cost savings due to medical and recuperative leave

Any savings realized by implementing the provisions of the Subpart relative to the institution of medical and recuperative leave compared to costs previously incurred for providing sabbatical leave for purposes of rest and recuperation shall be used to fund textbooks and instructional materials or to employ additional enrichment teachers in the elementary school grades.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana.

If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Rep. Copelin asked for and obtained a division of the question.

On motion of Rep. McDonald, the amendments No. 1, 2, 3, 4, 5, 7, 9, 10, 12, 13, 14, 16 and 18 were adopted.

Rep. McDonald moved adoption of Amendment Nos. 6 and 15.

Rep. Copelin objected.

A record vote was asked for and ordered by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Flavin	McMains
Alexander	Fruge	Michot
Baudoin	Gautreaux	Morrish
Bowler	Johns	Powell
Crane	Lancaster	Sneed
Damico	Martiny	Stelly
Donelon	McDonald	Winston
Total—21		

#### NAYS

Alario	Hill	Riddle
Ansardi	Holden	Romero
Baylor	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter	Iles	Schwegmann
Chaisson	Jenkins	Shaw
Clarkson	Jetson	Smith, J.D.—50th
Copelin	Kennard	Theriot
Curtis	Kenney	Thompson
Daniel	Landrieu	Thornhill
Denville	LeBlanc	Toomy
DeWitt	Long	Travis
Diez	Marionneaux	Triche
Doerge	McCain	Waddell
Dupre	McCallum	Walsworth
Durand	Mitchell	Warner
Faucheux	Morrell	Welch
Fontenot	Murray	Weston
Frith	Nevers	Wiggins
Glover	Odinot	Wilkerson
Green	Perkins	Willard
Guillory	Pierre	Windhorst
Hammett	Pinac	Wooton
Heaton	Pratt	Wright
Hebert	Quezaire	
Total—77		

#### ABSENT

Barton	Montgomery	Strain
Farve	Smith, J.R.—30th	
Total—5		

Amendment Nos. 6 and 15 were rejected.

Rep. McDonald moved adoption of Amendment Nos. 8 and 17.

Rep. Murray objected.

A record vote was asked for and ordered by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Hill	Pinac
Alexander	Hopkins	Powell
Ansardi	Hudson	Salter
Baudoin	Iles	Scalise
Bowler	Jenkins	Schneider
Bruce	Jetson	Schwegmann
Bruneau	Johns	Shaw
Chaisson	Kennard	Smith, J.D.—50th
Clarkson	Kenney	Sneed
Crane	Lancaster	Stelly
Damico	LeBlanc	Theriot
Daniel	Long	Thompson
Diez	Marionneaux	Thornhill
Doerge	Martiny	Toomy
Donelon	McCain	Travis
Dupre	McCallum	Triche
Durand	McDonald	Walsworth
Faucheux	McMains	Wiggins
Flavin	Michot	Windhorst
Fontenot	Montgomery	Winston
Frugé	Morrish	Wooton
Gautreaux	Nevers	Wright
Hammett	Odinet	
Hebert	Perkins	
Total—70		

**NAYS**

Alario	Green	Pratt
Baylor	Guillory	Quezaire
Carter	Heaton	Riddle
Copelin	Holden	Romero
Curtis	Hunter	Waddell
Denville	Landrieu	Warner
DeWitt	Mitchell	Welch
Farve	Morrell	Weston
Frith	Murray	Wilkerson
Glover	Pierre	Willard
Total—30		

**ABSENT**

Barton	Smith, J.R.—30th	Strain
Total—3		

Amendment Nos. 8 and 17 were adopted.

Rep. McDonald moved adoption of Amendment Nos. 11 and 19.

Rep. Morrell objected.

A record vote was asked for and ordered by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gautreaux	Morrish
Alexander	Hebert	Nevers
Ansardi	Hill	Pinac

Baudoin	Hopkins	Powell
Bowler	Iles	Salter
Bruce	Jenkins	Scalise
Bruneau	Jetson	Schneider
Chaisson	Johns	Shaw
Clarkson	Kennard	Smith, J.D.—50th
Crane	Kenney	Sneed
Daniel	Lancaster	Stelly
Denville	Landrieu	Theriot
DeWitt	LeBlanc	Thompson
Diez	Long	Thornhill
Doerge	Marionneaux	Travis
Donelon	Martiny	Triche
Dupre	McCain	Waddell
Durand	McCallum	Walsworth
Faucheux	McDonald	Wiggins
Flavin	McMains	Windhorst
Fontenot	Michot	Winston
Frith	Mitchell	Wooton
Frugé	Montgomery	Wright
Total—69		

**NAYS**

Alario	Hammett	Riddle
Baylor	Heaton	Romero
Carter	Holden	Schwegmann
Copelin	Hunter	Toomy
Curtis	Morrell	Warner
Damico	Murray	Welch
Farve	Odinet	Weston
Glover	Pierre	Wilkerson
Green	Pratt	Willard
Guillory	Quezaire	
Total—29		

**ABSENT**

Barton	Perkins	Strain
Hudson	Smith, J.R.—30th	
Total—5		

Amendment Nos. 11 and 19 were adopted.

Rep. Wright sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Wright to Reengrossed Senate Bill No. 297 by Senator Greene, et al. (Duplicate of H.B. No. 1792)

**AMENDMENT NO. 1**

Delete House Floor Amendment No. 13 proposed by Representative McDonald and adopted by the House on May 19, 1999.

**AMENDMENT NO. 2**

On page 7, between lines 26 and 27, insert the following:

"R. Any savings realized by implementing the provisions of this Section relative to the institution of medical and recuperative leave compared to the average cost previously incurred for providing sabbatical leave for purposes of rest and recuperation for the previous three school years shall be used to fund an increase in teacher salaries. However, any teacher who has taken any leave pursuant to the provisions of this Section shall not receive the salary increase provided for by this Subsection."

AMENDMENT NO. 3

Delete House Floor Amendment No. 19 proposed by Representative McDonald and adopted by the House on May 19, 1999.

AMENDMENT NO. 4

On page 14 delete lines 1 through 27 in their entirety and on page 15 delete lines 1 through 17 in their entirety and insert in lieu thereof the following:

"state or by any public or private postsecondary education institution in Louisiana or in any other state provided, however, that a person granted sabbatical leave for professional or cultural improvement may accept an assistantship or fellowship from a public or private postsecondary education institution

(4) Any eligible other employment by a person granted sabbatical leave for professional or cultural improvement shall not exceed twenty hours per week and no such employment shall result in any increase in retirement benefits due the person from the state upon his retirement.

(5) Any person having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes may continue having eligible other employment while on sabbatical leave if approved by the physician who is treating the person but no such employment shall exceed twenty hours per week and no such employment shall result in any increase in benefits due the person from the state upon his retirement. Any person not having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes who seeks eligible other employment while on sabbatical leave for medical and recuperative purposes first shall have approval for any such other employment from the physician who is treating the person and from a physician designated by the governing authority of the special school but no such other employment shall exceed twenty hours per week and no such other employment shall result in any increase in retirement benefits due the person from the state upon his retirement.

\* \* \*

§1184. Compensation while on leave

A. Each person granted sabbatical leave shall receive and be paid compensation at the rate of ~~fifty~~ sixty-five percent of the minimum salary allowed a beginning teacher holding a bachelor's degree in that parish or city school system; provided, however, that any person granted sabbatical leave shall have the option of electing to be paid the difference between the salary he would have received during such leave if in active service in the position from which such leave is taken and the compensation which a day-by-day substitute would receive if assigned to that position on a day-by-day basis. The daily rate paid by the board for initial or minimum periods of substitution shall be the base upon which the option provided for in this section may be elected and shall be computed and paid, and the salary of the person substituting for the person granted leave shall not be considered in computing the option person's salary at the time the leave begins.

B. Any school board may ~~pay such additional compensation to teachers on sabbatical leave~~ grant such additional leave or compensation, or both, as it may establish and fix.

\* \* \*

§1188. Cost savings due to medical and recuperative leave

Any savings realized by implementing the provisions of this Subpart relative to the institution of medical and recuperative leave compared to the average cost previously incurred for providing sabbatical leave for purposes of rest and recuperation for the previous three school years shall be used to fund an increase in teacher salaries. However, any teacher who has taken any leave pursuant to the provisions of this Subpart shall not receive the salary increase provided for by this Section."

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Rep. Wright, the amendments were withdrawn.

Rep. Wright sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Wright to Reengrossed Senate Bill No. 297 by Senator Greene, et al. (Duplicate of H.B. No. 1792)

AMENDMENT NO. 1

Delete House Floor Amendment No. 13 proposed by Representative McDonald and adopted by the House on May 19, 1999.

AMENDMENT NO. 2

On page 7, between lines 26 and 27, insert the following:

"R. Any savings realized by implementing the provisions of this Section relative to the institution of medical and recuperative leave compared to the average cost previously incurred for providing sabbatical leave for purposes of rest and recuperation for the previous three school years shall be used to fund an increase in teacher salaries."

AMENDMENT NO. 3

Delete House Floor Amendment No. 19 proposed by Representative McDonald and adopted by the House on May 19, 1999.

AMENDMENT NO. 4

On page 14 delete lines 1 through 27 in their entirety and on page 15 delete lines 1 through 17 in their entirety and insert in lieu thereof the following:

"state or by any public or private postsecondary education institution in Louisiana or in any other state provided, however, that a person granted sabbatical leave for professional or cultural improvement may accept an assistantship or fellowship from a public or private postsecondary education institution

(4) Any eligible other employment by a person granted sabbatical leave for professional or cultural improvement shall not exceed twenty hours per week and no such employment shall result in any increase in retirement benefits due the person from the state upon his retirement.

(5) Any person having eligible other employment during the four month period prior to being placed on sabbatical leave for

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medical and recuperative purposes may continue having eligible other employment while on sabbatical leave if approved by the physician who is treating the person but no such employment shall exceed twenty hours per week and no such employment shall result in any increase in benefits due the person from the state upon his retirement. Any person not having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes who seeks eligible other employment while on sabbatical leave for medical and recuperative purposes first shall have approval for any such other employment from the physician who is treating the person and from a physician designated by the governing authority of the special school but no such other employment shall exceed twenty hours per week and no such other employment shall result in any increase in retirement benefits due the person from the state upon his retirement.

\* \* \*

### §1184. Compensation while on leave

A. Each person granted sabbatical leave shall receive and be paid compensation at the rate of fifty sixty-five percent of the minimum salary allowed a beginning teacher holding a bachelor's degree in that parish or city school system; provided, however, that any person granted sabbatical leave shall have the option of electing to be paid the difference between the salary he would have received during such leave if in active service in the position from which such leave is taken and the compensation which a day-by-day substitute would receive if assigned to that position on a day-by-day basis. The daily rate paid by the board for initial or minimum periods of substitution shall be the base upon which the option provided for in this section may be elected and shall be computed and paid, and the salary of the person substituting for the person granted leave shall not be considered in computing the option person's salary at the time the leave begins.

B. Any school board may pay such additional compensation to teachers on sabbatical leave grant such additional leave or compensation, or both, as it may establish and fix.

\* \* \*

### §1188. Cost savings due to medical and recuperative leave

Any savings realized by implementing the provisions of this Subpart relative to the institution of medical and recuperative leave compared to the average cost previously incurred for providing sabbatical leave for purposes of rest and recuperation for the previous three school years shall be used to fund an increase in teacher salaries."

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Rep. Wright moved the adoption of the amendments.

Rep. McDonald objected.

By a vote of 25 yeas and 74 nays, the amendments were rejected.

Rep. Wright sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wright to Reengrossed Senate Bill No. 297 by Senator Greene, et al. (Duplicate of H.B. No. 1792)

#### AMENDMENT NO. 1

Delete House Floor Amendment No. 13 proposed by Representative McDonald and adopted by the House on May 19, 1999.

#### AMENDMENT NO. 2

On page 7, between lines 26 and 27, insert the following:

"R. Any savings realized by implementing the provisions of this Section relative to the institution of medical and recuperative leave compared to costs previously incurred for providing sabbatical leave for purposes of rest and recuperation shall be used by the governing authority of the special school in any manner it so determines."

#### AMENDMENT NO. 3

Delete House Floor Amendment No. 19 proposed by Representative McDonald and adopted by the House on May 19, 1999.

#### AMENDMENT NO. 4

On page 14 delete lines 1 through 27 in their entirety and on page 15 delete lines 1 through 17 in their entirety and insert in lieu thereof the following:

"state or by any public or private postsecondary education institution in Louisiana or in any other state provided, however, that a person granted sabbatical leave for professional or cultural improvement may accept an assistantship or fellowship from a public or private postsecondary education institution

(4) Any eligible other employment by a person granted sabbatical leave for professional or cultural improvement shall not exceed twenty hours per week and no such employment shall result in any increase in retirement benefits due the person from the state upon his retirement.

(5) Any person having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes may continue having eligible other employment while on sabbatical leave if approved by the physician who is treating the person but no such employment shall exceed twenty hours per week and no such employment shall result in any increase in benefits due the person from the state upon his retirement. Any person not having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes who seeks eligible other employment while on sabbatical leave for medical and recuperative purposes first shall have approval for any such other employment from the physician who is treating the person and from a physician designated by the governing authority of the special school but no such other employment shall exceed twenty hours per week and no such other employment shall result in any increase in retirement benefits due the person from the state upon his retirement.

\* \* \*

### §1184. Compensation while on leave

A. Each person granted sabbatical leave shall receive and be paid compensation at the rate of fifty sixty-five percent of the minimum salary allowed a beginning teacher holding a bachelor's degree in that parish or city school system; provided, however, that any person granted sabbatical leave shall have the option of electing

to be paid the difference between the salary he would have received during such leave if in active service in the position from which such leave is taken and the compensation which a day-by-day substitute would receive if assigned to that position on a day-by-day basis. The daily rate paid by the board for initial or minimum periods of substitution shall be the base upon which the option provided for in this section may be elected and shall be computed and paid, and the salary of the person substituting for the person granted leave shall not be considered in computing the option person's salary at the time the leave begins.

B. Any school board may pay such additional compensation to teachers on sabbatical leave grant such additional leave or compensation, or both, as it may establish and fix.

\* \* \*

§1188. Cost savings due to medical and recuperative leave

Any savings realized by implementing the provisions of this Subpart relative to the institution of medical and recuperative leave compared to costs previously incurred for providing sabbatical leave for purposes of rest and recuperation shall be used by a city or parish school board in any manner it so determines."

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Rep. Wright, the amendments were adopted.

Rep. McDonald moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Sneed
Crane	Kenney	Stelly
Curtis	Lancaster	Theriot
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Denville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Doerge	McCain	Waddell
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Weston

Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard
Frith	Morrish	Windhorst
Fruge	Murray	Winston
Gautreaux	Nevers	Wooton
Glover	Odinot	Wright
Green	Pierre	
Total—101		

NAYS

Total—0

ABSENT

Perkins	Strain
Total—2	

The Chair declared the above bill was finally passed.

Rep. McDonald moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 450—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:1505.4(A)(2), R.S. 39:1233.1, R.S. 42:1118.1(B), 1119(B)(2)(a)(ii) and (b)(ii), 1120(A), 1123(16)(a), and 1124(D), to enact R.S. 42:1111(E)(2)(d), and 1157(A)(5) and (6), all relative to certain reports, registrations and statements to be filed with the Board of Ethics; to provide for filing deadlines and late fees applicable to certain reports, registrations and statements; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Lancaster moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Sneed
Crane	Kenney	Stelly
Curtis	Lancaster	Theriot
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Denville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Doerge	McCain	Waddell
Donelon	McCallum	Walsworth

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Dupre	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Weston
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard
Frith	Morrish	Windhorst
Fruge	Murray	Winston
Gautreaux	Nevers	Wooton
Glover	Odinot	Wright
Green	Pierre	
Total—101		

NAYS

Total—0

ABSENT

Perkins	Strain
Total—2	

The chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

Rep. Lancaster moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Suspension of the Rules

On motion of Rep. Perkins, the rules were suspended in order to take up House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

### House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

#### Regular Calendar

#### HOUSE BILL NO. 2048— BY REPRESENTATIVE PERKINS AN ACT

To enact R.S. 17:100.6, relative to certain policies of governing authorities of public elementary and secondary schools; to require such governing authorities to adopt certain policies regarding access by students and school employees to certain Internet and online sites; to provide certain exceptions; and to provide for related matters.

Read by title.

Rep. Perkins sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Engrossed House Bill No. 2048 by Representative Perkins

##### AMENDMENT NO. 1

On page 2, line 3, after "the" and before "adopted" change "policy" to "policies"

##### AMENDMENT NO. 2

On page 2, line 6, after "include" and before "the" delete "provisions that address and consider"

On motion of Rep. Perkins, the amendments were adopted.

Rep. Murray sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed House Bill No. 2048 by Representative Perkins

##### AMENDMENT NO. 1

On page 2, line 11, after "employees" and before "of a" insert "or student"

##### AMENDMENT NO. 2

On page 2, after line 14, add the following:

"D. The provisions of this Section shall not prohibit any authorized student of a public elementary or secondary school from having unfiltered or unrestricted access to the Internet or online services of a newspaper with a daily circulation of at least one thousand."

On motion of Rep. Murray, the amendments were adopted.

Rep. Holden sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Holden to Engrossed House Bill No. 2048 by Representative Perkins

##### AMENDMENT NO. 1

On page 1, at the end of line 17, insert "or dangerous"

##### AMENDMENT NO. 2

On page 2, at the end of line 3, insert the following:

"Such policies shall include but not be limited to prohibitions against accessing sites containing information on the manufacturing or production of bombs or other incendiary devices."

On motion of Rep. Holden, the amendments were adopted.

Rep. Daniel sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 2048 by Representative Perkins

##### AMENDMENT NO. 1

On page 1, line 18, after "violent," and before "sexually" insert "or"

##### AMENDMENT NO. 2

On page 2, line 1, after "harassing," and before "or" delete "educationally unsuitable, or otherwise objectionable"

On motion of Rep. Daniel, the amendments were adopted.

Rep. Perkins moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Denville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Frige	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinet	Wooton
Green	Perkins	Wright
Total—102		

#### NAYS

Total—0

#### ABSENT

Strain  
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Perkins moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 2259 (Substitute Bill for House Bill No. 1728 by Representative Perkins)— BY REPRESENTATIVE PERKINS

#### AN ACT

To enact R.S. 49:953(A)(1)(a)(viii) and 972, relative to administrative procedure; to provide that prior to the adoption, amendment, or repeal of any rule by any state agency that a family impact statement be issued; to provide for contents of the

family impact statement; and to provide for related matters.

Read by title.

Rep. Perkins moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Green	Pratt
Alario	Hammett	Quezaire
Alexander	Heaton	Riddle
Ansardi	Hill	Romero
Barton	Hopkins	Scalise
Baudoin	Hudson	Schneider
Baylor	Hunter	Schwegmann
Bowler	Iles	Shaw
Bruce	Jenkins	Smith, J.D.—50th
Bruneau	Johns	Smith, J.R.—30th
Carter	Kennard	Sneed
Chaisson	Kenney	Stelly
Clarkson	Lancaster	Theriot
Copelin	Landrieu	Thompson
Crane	LeBlanc	Thornhill
Damico	Long	Toomy
Daniel	Marionneaux	Travis
Denville	Martiny	Triche
DeWitt	McCain	Waddell
Diez	McCallum	Walsworth
Doerge	McDonald	Warner
Donelon	McMains	Welch
Dupre	Michot	Weston
Durand	Mitchell	Wiggins
Farve	Montgomery	Wilkerson
Faucheux	Morrish	Willard
Flavin	Nevers	Windhorst
Fontenot	Odinet	Winston
Frith	Perkins	Wooton
Frige	Pierre	Wright
Gautreaux	Pinac	
Glover	Powell	
Total—94		

#### NAYS

Curtis	Holden	Murray
Guillory	Morrell	Salter
Total—6		

#### ABSENT

Hebert	Jetson	Strain
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Perkins moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Speaker Pro Tempore Bruneau in the Chair

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## HOUSE BILL NO. 414—

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 13:3881(A)(1)(a), relative to exemptions from seizure; to provide that child support or federal earned income tax credit benefits shall be exempt from seizure; and to provide for related matters.

Read by title.

### Motion

Rep. Montgomery moved that House Bill No. 414 be designated as a duplicate of Senate Bill No. 611.

Which motion was agreed to.

### Motion

On motion of Rep. Montgomery, the bill was returned to the calendar.

## HOUSE BILL NO. 559—

BY REPRESENTATIVE HOLDEN  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(F) of the Constitution of Louisiana, to provide that commercial hazardous waste incinerators are not eligible for the exemption from ad valorem taxation for new manufacturing establishments or additions to existing manufacturing establishments; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Holden, the bill was returned to the calendar.

## HOUSE BILL NO. 670—

BY REPRESENTATIVES FARVE AND MURRAY  
AN ACT

To enact R.S. 45:1166.1, relative to telephone services; to prohibit the assessment of certain long-distance telephone charges; and to provide for related matters.

Read by title.

Rep. Farve sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farve to Engrossed House Bill No. 670 by Representatives Farve and Murray

#### AMENDMENT NO. 1

On page 1, at the end of line 2, delete "prohibit the" and on line 3, delete "assessment of" and insert in lieu thereof "provide relative to"

#### AMENDMENT NO. 2

On page 1, line 9, after "for" and before "collect" insert "operator assisted"

#### AMENDMENT NO. 3

On page 1, line 10, after "for" and before "collect" insert "operator

assisted"

#### AMENDMENT NO. 4

On page 1, at the end of line 13, add "In no case shall the rate for an operator assisted collect call made from a penal institution in this state exceed the rate caps established by the Louisiana Public Service Commission for such calls."

On motion of Rep. Farve, the amendments were adopted.

Rep. Farve moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hudson	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Carter	Jetson	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Dewille	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinet	Wooton
Green	Pierre	Wright
Total—99		

#### NAYS

Total—0

#### ABSENT

Crane	Perkins
Hopkins	Strain
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Farve moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 687—**

BY REPRESENTATIVE FAUCHEUX AND SENATORS LANDRY AND THEUNISSEN

**AN ACT**

To amend and reenact R.S. 2:1(17) through (24), 131(A), 135.1(A), (B), (I), and (J), 319, 321, 602(A), and 607(B) and to enact R.S. 2:1(25) through (28) and 135.1(K), (L), (M), (N), and (O), and (P) relative to aviation and aeronautics; to provide certain definitions; to provide relative to certain joint endeavors and to the authority of sponsors of public airports; to provide relative to leases; to authorize certain regulations and the establishment of certain charges, fees, tolls, and penalties; to provide relative to certain lease terms and conditions; to provide for optional public bid requirements under certain conditions; to require certain conditions of maintenance within certain lease contracts; to require certain conditions of fairness and nondiscrimination within certain lease contracts; to remove the exemption from lease requirements of certain airports operated through cooperative agreements with the state; to require cost escalation provisions on certain lease contracts; to require public access to air field facilities; to provide relative to requirements of fixed-base operators; to provide relative to and authorize compensation for "through-the-fence" operations; to provide relative to the terms of office of commissioners of certain airport districts; to provide relative to the membership of airport authorities; to provide relative to terms of office of commission members of such authorities; and to provide for related matters.

Read by title.

**Motion**

Rep. Fauchaux moved that House Bill No. 687 be designated as a duplicate of Senate Bill No. 206.

Which motion was agreed to.

**Motion**

On motion of Rep. Fauchaux, the bill was returned to the calendar.

**HOUSE BILL NO. 745—**

BY REPRESENTATIVES ILES, FAUCHEUX, FRITH, POWELL, SCHNEIDER, AND WRIGHT

**AN ACT**

To enact Chapter 8-F of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:844.1 through 844.6, relative to telephone solicitation; to provide for a "do not call" listing for telephone subscribers; to provide for listing procedures; to prohibit certain acts; to provide for notification; to provide for criminal penalties; to provide for civil actions; and to provide for related matters.

Read by title.

Rep. Iles sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Iles to Engrossed House Bill No. 745 by Representatives Iles, et al.

**AMENDMENT NO. 1**

On page 3, between lines 11 and 12, insert:

"(4) A person offering or selling a security qualified under R.S. 51:701 et seq.

(5) A person licensed or certified pursuant to R.S. 22:35, including a person licensed pursuant to R.S. 22:1111 through 1113, or a representative of any such person, when the solicited transaction is governed by that law.

(6) An issuer or subsidiary of an issuer that has a class of securities which is subject to Section 12 of the Securities Exchange Act of 1934 (15 U.S.C. Sec. 781) and which is either registered or exempt from registration under Paragraph (A), (B), (C), (E), (F), (G), or (H) of Subsection (g)(2) of that Section.

(7) A person soliciting a transaction regulated by the Commodity Futures Trading Commission if the person is registered or temporarily licensed for this activity with the Commodity Futures Trading Commission under the Commodity Exchange Act, (7 U.S.C. 1 et seq.) and the registration or license has not expired or been suspended or revoked.

(8) A person registered or licensed by the Securities and Exchange Commission, a self-regulatory organization as defined by the Securities Exchange Act of 1934 (15 U.S.C. §781), or under R.S. 51:701 et seq."

On motion of Rep. Iles, the amendments were withdrawn.

Rep. Fauchaux sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Fauchaux to Engrossed House Bill No. HB 745 by Representatives Iles, et al.

**AMENDMENT NO. 1**

On page 2, delete line 14 in its entirety

**AMENDMENT NO. 2**

On page 2, at the beginning of line 15, change "(5)" to "(4)"

**AMENDMENT NO. 3**

On page 2, at the beginning of line 16, change "(6)" to "(5)"

**AMENDMENT NO. 4**

On page 2, at the beginning of line 17, change "(7)" to "(6)"

**AMENDMENT NO. 5**

On page 2, at the beginning of line 23, change "(8)" to "(7)"

**AMENDMENT NO. 6**

On page 3, at the beginning of line 6, change "a prior or" to "an"

**AMENDMENT NO. 7**

On page 3, between lines 11 and 12, insert the following:

"(4) A person who makes telephone calls on behalf of an organization which has non-profit status under Section 501(C)(3) of the Internal Revenue Code.

(5) A person who makes telephone calls for the purpose of conducting marketing research, public opinion polling, or similar activities which do not involve telephone solicitation or selling."

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Rep. Faucheux moved the adoption of the amendments.

Rep. Iles objected.

By a vote of 53 yeas and 40 nays, the amendments were adopted.

Rep. Faucheux sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Faucheux to Engrossed House Bill No. 745 by Representative Iles et al.

#### AMENDMENT NO. 1

On page 4, at the end of line 15, add the following:

"Facilities-based solicitors holding substantial assets within the state shall be exempt from the bonding requirement."

#### AMENDMENT NO. 2

On page 5, at the end of line 23, delete the colon ":" and delete line 24 in it's entirety and on line 25 delete "(2)" and decapitalize "Conspicuous"

#### AMENDMENT NO. 3

On page 6, delete lines 1 through 17 in their entirety and on line 18, change "\$844.6" to "\$844.5"

#### AMENDMENT NO. 4

On page 7, line 2 after the first occurrence of "violation", change the comma to "and" and after "second" insert "and subsequent" and after "violation" delete the remainder of the line and delete line 3 in it's entirety and insert a period "."

#### AMENDMENT NO. 5

On page 7, delete line 5 in it's entirety

Rep. Faucheux moved the adoption of the amendments.

Rep. Iles objected.

By a vote of 25 yeas and 65 nays, the amendments were rejected.

Rep. Murray sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed House Bill No. 745 by Representative Iles

#### AMENDMENT NO. 1

On page 3, between lines 11 and 12, add the following:

"(4) Telecommunications companies with facilities based in the state of Louisiana shall be exempt from the requirements of this Chapter."

### Motion

Rep. Wright moved to end consideration of amendments.

Rep. McCallum objected.

By a vote of 57 yeas and 36 nays, the House agreed to end consideration of amendments.

Rep. Murray moved the adoption of the amendments.

Rep. Iles objected.

By a vote of 47 yeas and 50 nays, the amendments were rejected.

Rep. Iles moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Alario	Guillory	Pratt
Alexander	Heaton	Quezaire
Baudoin	Hebert	Riddle
Baylor	Hill	Salter
Bruce	Holden	Scalise
Bruneau	Hopkins	Schneider
Carter	Hunter	Schwegmann
Chaisson	Iles	Smith, J.D.—50th
Copelin	Jetson	Stelly
Curtis	Johns	Theriot
Damico	Kennard	Thompson
Daniel	Kenney	Thornhill
Deville	Landrieu	Toomy
DeWitt	LeBlanc	Travis
Diez	Long	Triche
Donelon	McCain	Walsworth
Dupre	McCallum	Warner
Farve	McDonald	Wiggins
Faucheux	Mitchell	Wilkerson
Flavin	Morrell	Willard
Fontenot	Morrish	Windhorst
Frith	Nevers	Winston
Glover	Pinac	Wooton
Green	Powell	Wright
Total—72		

#### NAYS

Barton	Hammett	Murray
Bowler	Jenkins	Odinot
Clarkson	Lancaster	Pierre
Crane	Martiny	Shaw
Doerge	McMains	Sneed
Durand	Michot	Waddell
Fruge	Montgomery	Welch
Total—21		

#### ABSENT

Mr. Speaker	Marionneaux	Strain
Ansardi	Perkins	Weston
Gautreaux	Romero	
Hudson	Smith, J.R.—30th	
Total—10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Iles moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 990—**

BY REPRESENTATIVE MICHOT

**AN ACT**

To amend and reenact R.S. 51:423, relative to the Unfair Sales Law and sales at less than cost; to provide for violations and penalties; and to provide for related matters.

Read by title.

Rep. Michot moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Frige	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinot	Wooton
Green	Perkins	Wright
Total—102		

**NAYS**

Total—0

**ABSENT**

Strain  
Total—1

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Michot moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1010—**

BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE

**AN ACT**

To amend and reenact R.S. 48:1603 and 1604(A), (C), (E), (G), and (J), relative to the River Parishes Transit Authority; to provide relative to the board of commissioners and composition, membership, terms, meetings, and quorums; to provide relative to employees; and to provide for related matters.

Read by title.

**Motion**

Rep. Faucheux moved that House Bill No. 1010 be designated as a duplicate of Senate Bill No. 982.

Which motion was agreed to.

**Motion**

On motion of Rep. Faucheux, the bill was returned to the calendar.

**HOUSE BILL NO. 1154—**

BY REPRESENTATIVE FAUCHEUX AND SENATOR LANDRY

**AN ACT**

To amend and reenact the heading of Part VIII of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950 and R.S. 40:1749.12(8) and (11), 1749.13(B)(1) and (4) and (C), 1749.14(A), (B), and (C)(1) and (2), 1749.15, 1749.16(2) and (3), 1749.17(A), 1749.18, 1749.20, 1749.23(C) and (D), and 1749.24(A)(2) and (3), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to provide definitions; to provide relative to underground utilities and facilities; to provide relative to notice; to provide relative to certification of a regional notification center by the Department of Public Safety and Corrections; to provide procedures and requirements and for the adoption of rules; to allow for the imposition of a fee for the certification process; to provide relative to violations, prohibitions, adjudications, and penalties; to provide relative to disbursements of funds; and to provide for related matters.

Read by title.

**Motion**

Rep. Faucheux moved that House Bill No. 1154 be designated as a duplicate of Senate Bill No. 489.

Which motion was agreed to.

**Motion**

On motion of Rep. Faucheux, the bill was returned to the calendar.

**HOUSE BILL NO. 1430—**

BY REPRESENTATIVES KENNARD, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, AND SHAW AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

**AN ACT**

To amend and reenact R.S. 32:388(B)(4), relative to penalties, payments, and violations of motor vehicle regulations and weight regulations; to provide definitions; to authorize certain inspections; and to provide for related matters.

Read by title.

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### Motion

On motion of Rep. Kennard, the bill was returned to the calendar.

#### HOUSE BILL NO. 1621—

BY REPRESENTATIVES DIEZ, DEWITT, DOWNER, MCMAINS, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

#### AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(b)(i), relative to commercial motor vehicle drivers; to provide relative to an economic hardship license; to provide relative to disqualification of commercial driving privileges; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Green	Pinac
Alario	Guillory	Powell
Alexander	Hammett	Pratt
Ansardi	Heaton	Quezaire
Barton	Hebert	Riddle
Baudoin	Hill	Salter
Baylor	Hopkins	Scalise
Bowler	Hudson	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Carter	Johns	Smith, J.D.—50th
Chaisson	Kennard	Smith, J.R.—30th
Clarkson	Kenney	Sneed
Copelin	Lancaster	Stelly
Crane	Landrieu	Theriot
Curtis	LeBlanc	Thompson
Damico	Long	Thornhill
Daniel	Marionneaux	Toomy
Deville	Martiny	Travis
DeWitt	McCain	Triche
Diez	McCallum	Waddell
Doerge	McDonald	Walsworth
Donelon	McMains	Warner
Dupre	Michot	Welch
Durand	Mitchell	Weston
Farve	Montgomery	Wiggins
Faucheux	Morrell	Wilkerson
Flavin	Morrish	Willard
Fontenot	Nevers	Windhorst
Frith	Odinot	Winston
Gautreaux	Perkins	Wooton
Glover	Pierre	Wright
Total—96		

#### NAYS

Holden	Hunter	Murray
Total—3		

#### ABSENT

Fruge	Romero
Jetson	Strain
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 1709—

BY REPRESENTATIVE DIEZ

#### AN ACT

To enact R.S. 47:532(D)(4), relative to the registration of vehicles; to authorize the adoption and enforcement of administrative regulations for the issuance of permanent metal plates of certain motor vehicles; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Sneed
Crane	Lancaster	Stelly
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Farve	Montgomery	Weston
Faucheux	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Nevers	Windhorst
Fruge	Odinot	Winston
Gautreaux	Perkins	Wooton
Green	Pierre	Wright
Total—99		

#### NAYS

Total—0

#### ABSENT

Glover	McDonald
Jetson	Strain
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

# **HOUSE BILL NO. 1903—**

BY REPRESENTATIVE TRAVIS

## **AN ACT**

To enact R.S. 36:109(D)(1) and to repeal R.S. 36:4(B)(1)(g), relative to the International Trade Development Board; to correct an erroneous placement of such board to the office of the governor rather than the Department of Economic Development; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

## **ROLL CALL**

The roll was called with the following result:

### **YEAS**

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Carter	Jetson	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Sneed
Crane	Lancaster	Stelly
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Farve	Mitchell	Weston
Faucheux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Fontenot	Morrish	Willard
Frith	Murray	Windhorst
Fruge	Nevers	Winston
Gautreaux	Odinot	Wooton
Glover	Perkins	Wright
Green	Pierre	
Total—101		

### **NAYS**

Total—0

### **ABSENT**

Hudson Strain  
Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Travis moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

# **HOUSE BILL NO. 2036—**

BY REPRESENTATIVE WRIGHT

## **AN ACT**

To designate a bridge located along Louisiana Highway 8, in Boyce, Louisiana, which crosses the Red River in Grant and Rapides parishes as the Richard S. Thompson Bridge; and to provide for related matters.

Read by title.

Rep. Wright moved the final passage of the bill.

## **ROLL CALL**

The roll was called with the following result:

### **YEAS**

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinot	Wooton
Green	Perkins	Wright
Total—102		

### **NAYS**

Total—0

### **ABSENT**

Strain  
Total—1

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The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Wright moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 2059—

BY REPRESENTATIVES HEATON AND TRAVIS  
AN ACT

To amend and reenact R.S. 37:1361(A), 1371, 1373(A), 1378(A)(introductory paragraph), (2), (3), and (8), and (B) and to enact R.S. 37:1367(H), 1368(I), and 1377(H), relative to plumbers; to provide for the purposes of and regulation by the State Plumbing Board; to require and provide for licensure of medical gas and vacuum systems verifiers; to provide for fees; to provide relative to injunctions; to define medical gas and vacuum systems verifier; to provide for disciplinary action; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Denville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinet	Wooton
Green	Perkins	Wright
Total—102		

#### NAYS

Total—0

ABSENT

Strain

Total—1

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Travis moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 2082—

BY REPRESENTATIVES BOWLER, JENKINS, AND PERKINS  
AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to license plates; to create the "CHOOSE LIFE" prestige license plate; to provide for the issuance of such plate; to provide for a minimum number of applicants; to provide for the design and color of such plate; to provide relative to the fees for such plates; to provide for the creation of the "Choose Life" fund within the state treasury; to provide for the deposit of certain monies into the fund; to provide for the use of such monies; to provide for the qualifications of organizations applying for receipt of such monies; to require annual disbursement of such monies; to require qualified organizations to submit an annual audit; to create the Choose Life Advisory Council; to provide for membership, terms, duties and pay for members of such Council; to authorize promulgation of rules and regulations; and to provide for related matters.

Read by title.

Rep. Bowler moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Green	Perkins
Alario	Guillory	Pierre
Alexander	Hammett	Pinac
Ansardi	Heaton	Powell
Barton	Hebert	Pratt
Baudoin	Hill	Quezaire
Baylor	Holden	Riddle
Bowler	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Carter	Iles	Schneider
Chaisson	Jenkins	Schwegmann
Clarkson	Johns	Shaw
Copelin	Kennard	Smith, J.D.—50th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Denville	Long	Thornhill
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Doerge	McCain	Waddell
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch

Farve	Michot	Weston
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard
Frith	Morrish	Windhorst
Fruge	Murray	Winston
Gautreaux	Nevers	Wooton
Glover	Odinet	Wright
Total—99		

NAYS

Total—0

ABSENT

Jetson	Strain
Smith, J.R.—30th	Toomy
Total—4	

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Bowler moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 2144—**  
BY REPRESENTATIVE WALSWORTH  
AN ACT

To enact R.S. 6:966.2, relative to additional default remedies; to provide for a notice of seizure; to provide for contents; to provide for fees; and to provide for related matters.

Read by title.

Rep. Walsworth sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Walsworth to Engrossed House Bill No. 2144 by Representative Walsworth

AMENDMENT NO. 1

On page 1, line 12, after "the" delete the remainder of the line and delete lines 13 through 16 in their entirety and insert in lieu thereof the following:

"debtor's name, last known address, date of birth, and a description of the collateral seized."

AMENDMENT NO. 2

On page 2, line 1, after "The" and before "creditor" delete "judgment"

On motion of Rep. Walsworth, the amendments were adopted.

Rep. Walsworth sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Walsworth to Engrossed House Bill No. 2144 by Representative Walsworth

AMENDMENT NO. 1

On page 1, line 12, after "information:" and before "debtor's" delete "judgment"

AMENDMENT NO. 2

On page 1, at the beginning of line 15, before "debtor" delete "judgment"

AMENDMENT NO. 3

On page 1, line 16, after "the" and before "debtor" delete "judgment"

AMENDMENT NO. 4

On page 2, line 1, after "the" and before "creditor" delete "judgment"

On motion of Rep. Walsworth, the amendments were adopted.

Rep. Walsworth moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alario	Fontenot	Powell
Alexander	Frith	Romero
Ansardi	Fruge	Salter
Barton	Hammett	Scalise
Baudoin	Hebert	Schneider
Bowler	Hopkins	Smith, J.D.—50th
Bruce	Iles	Smith, J.R.—30th
Bruneau	Jenkins	Sneed
Chaisson	Johns	Stelly
Clarkson	Kennard	Theriot
Crane	Lancaster	Thompson
Damico	LeBlanc	Toomy
Daniel	Martiny	Travis
Denville	McCallum	Waddell
DeWitt	McDonald	Walsworth
Diez	McMains	Warner
Doerge	Michot	Wiggins
Donelon	Montgomery	Windhorst
Dupre	Morrish	Winston
Durand	Nevers	Wooton
Faucheux	Odinet	
Flavin	Pinac	
Total—64		

**NAYS**

Baylor	Kenney	Riddle
Carter	Landrieu	Schwegmann
Copelin	Long	Shaw
Curtis	Marionneaux	Thornhill
Farve	McCain	Welch
Glover	Mitchell	Weston
Guillory	Morrell	Wilkerson
Heaton	Murray	Willard
Hill	Pierre	Wright
Holden	Pratt	
Hunter	Quezaire	
Total—31		

**ABSENT**

Mr. Speaker	Hudson	Strain
Gautreaux	Jetson	Triche
Green	Perkins	
Total—8		

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The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Walsworth moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 79—

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact Civil Code Articles 776 and 780, relative to building restrictions; to clarify the codal authority to amend such restrictions; and to provide for related matters.

Read by title.

Rep. Martiny moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinet	Wooton
Green	Perkins	Wright
Total—102		

#### NAYS

Total—0

#### ABSENT

Strain  
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 402—

BY REPRESENTATIVE RIDDLE  
AN ACT

To amend and reenact R.S. 9:4103(A), relative to alternative dispute resolution; to provide for the referral of a case to mediation by the court or on motion of any party; and to provide for related matters.

Read by title.

Rep. Riddle moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinet	Wooton
Green	Perkins	Wright
Total—102		

#### NAYS

Total—0

#### ABSENT

Strain  
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Riddle moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 667—

BY REPRESENTATIVES DOWNER, CLARKSON, AND MCMAINS  
AN ACT

To enact R.S. 9:3261, relative to leases; to provide for the rights of military personnel when terminating a lease; and to provide for related matters.

Read by title.

Rep. Downer sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Downer to Engrossed House Bill No. 667 by Representative Downer

##### AMENDMENT NO. 1

On page 1, line 17, after "member" and before "is" delete "or technician"

On motion of Rep. Downer, the amendments were adopted.

Rep. Downer moved the final passage of the bill, as amended.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson

Frith  
Fruge  
Gautreaux  
Glover  
Green

Total—102

Morrish  
Murray  
Nevers  
Odinet  
Perkins

Willard  
Windhorst  
Winston  
Wooton  
Wright

NAYS

Total—0

ABSENT

Strain

Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Downer moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 694—

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 51:1420, relative to unfair trade practices and consumer protection; to prohibit deceptive trade practices through the use of listings in telephone directories or other directory databases; to limit the liability of providers of directories; to provide for violations; and to provide for related matters.

Read by title.

Rep. Travis sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed House Bill No. 694 by Representative DeWitt

##### AMENDMENT NO. 1

On page 2, line 1, after "(a)" delete the remainder of the line and delete lines 2 and 3 in their entirety and insert in lieu thereof the following:

"The business or supplier is not located within the geographical area covered by the directory and"

##### AMENDMENT NO. 2

On page 2, at the beginning of line 4, delete "(b) The" and insert in lieu thereof "the"

##### AMENDMENT NO. 3

On page 2, at the beginning of line 7, change "(c)" to "(b)" and at the beginning of line 12, change "(d)" to "(c)"

On motion of Rep. Travis, the amendments were adopted.

Rep. Travis moved the final passage of the bill, as amended.

#### ROLL CALL

The roll was called with the following result:

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37th Day's Proceedings - May 19, 1999

## YEAS

Alario	Guillory	Pierre
Alexander	Hammett	Pinac
Ansardi	Heaton	Powell
Barton	Hebert	Pratt
Baudoin	Hill	Quezaire
Baylor	Holden	Riddle
Bowler	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Carter	Iles	Schneider
Chaisson	Jenkins	Schwegmann
Clarkson	Jetson	Shaw
Copelin	Johns	Smith, J.D.—50th
Crane	Kennard	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	Lancaster	Stelly
Daniel	Landrieu	Theriot
Deville	LeBlanc	Thompson
DeWitt	Long	Thornhill
Diez	Marionneaux	Toomy
Doerge	Martiny	Travis
Donelon	McCain	Triche
Dupre	McCallum	Waddell
Durand	McDonald	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinet	Wooton
Green	Perkins	Wright
Total—99		

## NAYS

Total—0

## ABSENT

Mr. Speaker	Strain
McMains	Walsworth
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Travis moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

## HOUSE BILL NO. 764—

BY REPRESENTATIVES DUPRE, DOWNER, GAUTREAUX, MCCAIN, AND TRICHE

## AN ACT

To enact Chapter 25-D of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:8061 through 8067, relative to the creation of the South Central Louisiana Solid Waste District; to provide for district purposes and territory; to provide for the creation of a board of commissioners to govern the district; to provide for the powers and duties of the board of commissioners and district, including the power of taxation and the power to incur debt and issue bonds; to provide for the officers of the commission and compensation of commissioners; and to provide for related matters.

Read by title.

Rep. Martiny sent up floor amendments which were read as follows:

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Engrossed House Bill No. 764 by Representative Dupre

### AMENDMENT NO. 1

On page 2, after line 22, insert the following:

"C. Notwithstanding any laws to the contrary, this Chapter shall not impair the obligations, validity or effect of any contract or contracts between any parish or municipality, or any combination thereof, with any person or persons providing solid waste management, including but not limited to collection, transportation, disposal, recycling of solid waste and waste reduction, that is in existence or effect on the effective date of this Chapter or on the effective date such parish or municipality is included in the district."

### AMENDMENT NO. 2

On page 4, between lines 17 and 18, insert the following:

"(4) Notwithstanding any laws to the contrary, any municipality that does not desire to be a member of the district, but is located in a parish that is a member of the district, shall not be required to dispose of its waste within the district."

On motion of Rep. Martiny, the amendments were adopted.

Rep. Downer moved the final passage of the bill, as amended.

## ROLL CALL

The roll was called with the following result:

## YEAS

Mr. Speaker	Hammett	Powell
Alario	Heaton	Pratt
Alexander	Hebert	Quezaire
Ansardi	Hill	Riddle
Barton	Holden	Romero
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jetson	Shaw
Carter	Johns	Smith, J.D.—50th
Chaisson	Kennard	Smith, J.R.—30th
Clarkson	Kenney	Sneed
Copelin	Lancaster	Stelly
Crane	Landrieu	Theriot
Curtis	LeBlanc	Thompson
Damico	Long	Thornhill
Daniel	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Farve	Mitchell	Weston
Faucheux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson

Fontenot	Morrish	Willard
Frith	Murray	Windhorst
Früge	Nevers	Winston
Gautreaux	Odinot	Wooton
Glover	Perkins	Wright
Green	Pierre	
Guillory	Pinac	
Total—100		

NAYS

Total—0

ABSENT

Deville	Jenkins	Strain
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Downer moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1262—**

BY REPRESENTATIVES GAUTREAU, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, DURAND, HEBERT, LEBLANC, MARIONNEAU, MCCAIN, QUEZAIRE, JACK SMITH, DANIEL, FAUCHEUX, FRITH, FRUGE, HILL, MICHOT, SCHNEIDER, AND TRICHE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER, GREENE, ROMERO, AND SIRACUSA

AN ACT

To amend and reenact R.S. 30:2000.4 and to enact R.S. 30:2000.9 and 2000.10, relative to the Atchafalaya Basin Program; to provide for a capital improvement program; to provide for the operation and maintenance of projects under the capital improvement program; to provide for the powers and duties related thereto; and to provide for related matters.

Read by title.

**Suspension of the Rules**

On motion of Rep. Gautreaux, and under a suspension of the rules, consideration of the above bill was deferred at this time.

**HOUSE BILL NO. 1783—**

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact Civil Code Article 2320, relative offenses and quasi offenses; to provide with respect to liability for acts of the employee, servant, overseer, student, scholar, or apprentice; to provide that the liability of the master or employer shall be vicarious and secondary to the liability of the employee, servant, overseer, student, scholar, or apprentice; and to provide for related matters.

Read by title.

**Suspension of the Rules**

On motion of Rep. McMains, and under a suspension of the rules, consideration of the above bill was deferred at this time.

**HOUSE BILL NO. 1786—**

BY REPRESENTATIVE DURAND AND SENATOR MALONE

AN ACT

To enact R.S. 32:1522, relative to hazardous materials transportation; to provide relative to the State Police Hazardous Materials Response Unit; to provide relative to response standards; to

provide for rules and regulations; to provide for training activities; to provide relative to funding; to provide for the deposit of funds into the Right to Know Fund; and to provide for related matters.

Read by title.

**Motion**

Rep. Durand moved that House Bill No. 1786 be designated as a duplicate of Senate Bill No. 660.

Which motion was agreed to.

**Motion**

On motion of Rep. Durand, the bill was returned to the calendar.

**HOUSE BILL NO. 1838—**

BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 29:733(C)(Art. 5) and to enact R.S. 29:733.1, relative to emergency preparedness; to provide for limitation of liability of emergency personnel and owners and operators of facilities used for shelter in emergencies; and to provide for related matters.

Read by title.

Rep. Downer moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pinac
Alario	Heaton	Powell
Alexander	Hebert	Pratt
Ansardi	Hill	Quezaire
Barton	Holden	Riddle
Baudoin	Hopkins	Romero
Baylor	Hudson	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Carter	Jetson	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Sneed
Crane	Lancaster	Stelly
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Farve	Mitchell	Weston
Faucheux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Frith	Morrish	Willard
Früge	Murray	Windhorst

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Gautreaux	Nevers	Winston
Glover	Odinot	Wooton
Green	Perkins	Wright
Guillory	Pierre	
Total—101		

NAYS

Total—0

ABSENT

Fontenot	Strain
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Downer moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1262—

BY REPRESENTATIVES GAUTREAUX, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, DURAND, HEBERT, LEBLANC, MARIONNEAUX, MCCAIN, QUEZAIRE, JACK SMITH, DANIEL, FAUCHEUX, FRITH, FRUGE, HILL, MICHOT, SCHNEIDER, AND TRICHE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER, GREENE, ROMERO, AND SIRACUSA

AN ACT

To amend and reenact R.S. 30:2000.4 and to enact R.S. 30:2000.9 and 2000.10, relative to the Atchafalaya Basin Program; to provide for a capital improvement program; to provide for the operation and maintenance of projects under the capital improvement program; to provide for the powers and duties related thereto; and to provide for related matters.

Read by title.

Rep. Triche moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Powell
Alario	Heaton	Pratt
Alexander	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Sneed
Crane	Kenney	Stelly
Damico	Lancaster	Theriot
Daniel	Landrieu	Thompson
Denville	LeBlanc	Thornhill
DeWitt	Long	Toomy
Diez	Marionneaux	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch

Fauchaux	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Fruge	Nevers	Windhorst
Gautreaux	Odinot	Winston
Glover	Perkins	Wooton
Green	Pierre	Wright
Guillory	Pinac	
Total—98		

NAYS

Total—0

ABSENT

Ansardi	Martiny	Strain
Curtis	Mitchell	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Triche moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1939—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 9:4106, relative to alternative dispute resolution; to provide for qualifications of mediators; and to provide for related matters.

Read by title.

Rep. Riddle sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Riddle to Engrossed House Bill No. 1939 by Representative Riddle

#### AMENDMENT NO. 1

On page 1, at the end of line 11, after "an" insert "individual or"

#### AMENDMENT NO. 2

On page 1, at the end line 17, after "have" insert the following "completed a minimum of forty classroom hours of training in mediation in a course conducted by an organization or individual approved by the MCLE Committee or the ADR Section, and must have"

On motion of Rep. Riddle, the amendments were adopted.

Rep. Riddle moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Powell
Alario	Heaton	Pratt
Alexander	Hebert	Quezaire

Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Sneed
Crane	Kenney	Stelly
Curtis	Lancaster	Theriot
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Farve	Mitchell	Weston
Fauchaux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Fontenot	Morrish	Willard
Frith	Murray	Windhorst
Fruge	Nevers	Winston
Gautreaux	Odinet	Wooton
Glover	Perkins	Wright
Green	Pierre	
Guillory	Pinac	
Total—100		

NAYS

Total—0

ABSENT

Ansardi	Martiny	Strain
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Riddle moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 2084—**  
BY REPRESENTATIVE WINDHORST  
AN ACT

To enact Part V-B of Chapter 2 of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3541.23 through 3541.25, relative to credit card solicitations; to provide relative to telephone solicitation of cardholders; to provide relative to the transmission of preprinted checks, cash advance checks, credit card checks, or any other similar instruments to cardholders; to provide for violations and penalties; and to provide for related matters.

Read by title.

Rep. Windhorst sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative DeWitt to Engrossed House Bill No. 2084 by Representative Windhorst

AMENDMENT NO. 1

On page 2, line 2, after "card" and before "with" delete "company," and insert in lieu thereof "issuing financial institution."

AMENDMENT NO. 2

On page 2, line 3, after "subsidiary" delete the remainder of the line in its entirety and insert in lieu thereof "of such institution, or"

AMENDMENT NO. 3

On page 2, line 4, after "such" and before "for" change "company" to "institution"

AMENDMENT NO. 4

On page 2, line 18, after "card" and before "to" delete "company" and insert in lieu thereof "issuing financial institution"

AMENDMENT NO. 5

On page 2, line 20, after "card" and before "selling" delete "company" and insert in lieu thereof "issuing financial institution"

AMENDMENT NO. 6

On page 3, line 2, after "card" and before "indicating" delete "company" and insert in lieu thereof "issuing financial institution"

AMENDMENT NO. 7

On page 3, line 3, after "card" and before "or" delete "companies" and insert in lieu thereof "issuing financial institutions"

AMENDMENT NO. 8

On page 3, line 5, after "card" and before "to" delete "company" and insert in lieu thereof "issuing financial institution"

AMENDMENT NO. 9

On page 3, line 13, after "subsidiary" and before "of" delete ", or affiliate"

On motion of Rep. Windhorst, the amendments were adopted.

Rep. Windhorst moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Green	Perkins
Alario	Guillory	Pierre
Alexander	Hammett	Pinac
Ansardi	Hebert	Powell
Barton	Hill	Pratt
Baudoin	Holden	Quezaire
Baylor	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter	Iles	Schwegmann
Chaisson	Jenkins	Shaw
Clarkson	Jetson	Smith, J.D.—50th
Copelin	Johns	Smith, J.R.—30th

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Crane	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Denville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Weston
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard
Frith	Morrish	Windhorst
Fruge	Murray	Winston
Gautreaux	Nevers	Wooton
Glover	Odinet	Wright
Total—96		

NAYS

Bowler	Riddle
Lancaster	Welch
Total—4	

ABSENT

Heaton	Romero	Strain
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Windhorst moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Suspension of the Rules

On motion of Rep. Riddle, the rules were suspended in order to take up Petitions, Memorials and Communications at this time.

### Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

### Message from the Senate

#### HOUSE CONCURRENT RESOLUTIONS

May 19, 1999

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 219  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Message from the Senate

#### HOUSE BILLS

May 19, 1999

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 1844  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Message from the Senate

#### ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

May 19, 1999

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 113, 114, and 129

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Privileged Report of the Committee on Enrollment

May 19, 1999

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

#### HOUSE RESOLUTION NO. 57— BY REPRESENTATIVE CLARKSON

##### A RESOLUTION

To commend the 1999 Jesuit High School soccer team on being the undefeated state champion in the highest division of soccer competition.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the

House.

### Privileged Report of the Committee on Enrollment

May 19, 1999

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

#### HOUSE CONCURRENT RESOLUTION NO. 214— BY REPRESENTATIVES WILKERSON AND PRATT AND SENATOR BAJOE

##### A CONCURRENT RESOLUTION

To commend Delta Sigma Theta Sorority for its achievements and designate May 19, 1999, as Delta Sigma Theta Sorority Legislative Day at the Louisiana Legislature.

#### HOUSE CONCURRENT RESOLUTION NO. 219— BY REPRESENTATIVE CLARKSON

##### A CONCURRENT RESOLUTION

To commend the 1999 Jesuit High School soccer team on being the undefeated state champion in the highest division of soccer competition.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

### Privileged Report of the Committee on Enrollment

May 19, 1999

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

#### HOUSE BILL NO. 166— BY REPRESENTATIVE ALARIO AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

#### HOUSE BILL NO. 514— BY REPRESENTATIVE STELLY AN ACT

To enact R.S. 11:701(29), (30), and (31) and 739, relative to the Teachers' Retirement System; to provide with respect to definitions; to provide with respect to the purchase of service credit and funds usable therefor; to provide an effective date;

and to provide for related matters.

#### HOUSE BILL NO. 602— BY REPRESENTATIVE STELLY AN ACT

To enact R.S. 11:2174.1, relative to the Sheriffs' Pension and Relief Fund; to provide with respect to out-of-state full-time law enforcement service credit and the purchase thereof; to provide regarding the application procedures for such purchases; to provide regarding the promulgation of rules and regulations; and to provide for related matters.

#### HOUSE BILL NO. 606— BY REPRESENTATIVES THOMPSON AND HAMMETT AN ACT

To enact R.S. 33:2721.12, relative to Tensas Parish; to authorize the governing authority of Tensas Parish to levy and collect an additional sales and use tax with voter approval; and to provide for related matters.

#### HOUSE BILL NO. 729— BY REPRESENTATIVE STELLY AN ACT

To amend and reenact R.S. 11:403(28), 411(introductory paragraph) and (5), 413(6) and (8), 424(A)(1)(introductory paragraph) and (2) and (D), and 444(C)(introductory paragraph), (7), and (10)(b), relative to the Louisiana State Employees' Retirement System; to provide with respect to definitions; to provide regarding membership and eligibility criteria related thereto; and to provide regarding service credit and the conversion of certain leave to credit; to provide regarding benefits and the computation thereof; to provide regarding average compensation; to provide an effective date; and to provide for related matters.

#### HOUSE BILL NO. 730— BY REPRESENTATIVE STELLY AN ACT

To amend and reenact R.S. 11:2174(B)(1) and (5)(a), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to membership and contributions; to provide an effective date; and to provide for related matters.

#### HOUSE BILL NO. 750— BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, DAMICO, LANCASTER, SCALISE, AND VITTER AND SENATORS HAINKEL, HOLLIS, LENTINI, ULLO, AND SCHEDLER AN ACT

To enact R.S. 23:1034(E), relative to public employers' liability for workers' compensation; to provide that workers' compensation is an injured public employee's exclusive remedy in certain circumstances; and to provide for related matters.

#### HOUSE BILL NO. 751— BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, DAMICO, LANCASTER, SCALISE, AND VITTER AND SENATORS HAINKEL, LENTINI, ULLO, AND SCHEDLER AN ACT

To enact R.S. 23:1034(E), relative to workers' compensation for public employees; to clarify the definition of "public employees"; and to provide for related matters.

#### HOUSE BILL NO. 832— BY REPRESENTATIVE DANIEL AN ACT

To amend and reenact R.S. 11:1322, relative to the State Police Pension and Retirement System; to provide with respect to survivors' benefits; to provide with respect to service credit and contributions; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 911—**

BY REPRESENTATIVE STELLY

**AN ACT**

To amend and reenact R.S. 11:701(6) and (26), 728(F), 762(F), 781(A)(1) and (3), and 783(A)(Option 1) and to repeal R.S. 11:728(D) and 729, relative to the Teachers' Retirement System; to provide with respect to definitions; to provide with respect to credit for certain teaching service; to provide with respect to the payment of survivor benefits and the options related thereto; to provide with respect to the refund of contributions; to repeal provisions granting credit for service in certain limited situations; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 1149 (Duplicate of Senate Bill No. 384)—**

BY REPRESENTATIVE ANSARDI AND SENATOR THEUNISSEN AND  
COAUTHORED BY REPRESENTATIVES HUDSON AND MURRAY

**AN ACT**

To amend and reenact R.S. 33:1353(A), 1356, and 1359(D), to enact R.S. 33:1359(E), and to repeal R.S. 33:1353(D), relative to interlocal risk management agencies; to provide for housing authorities; to provide for fire and extended risks coverage; to provide for liability; and to provide for related matters.

**HOUSE BILL NO. 1156—**

BY REPRESENTATIVE HAMMETT

**AN ACT**

To enact R.S. 33:2711.15, relative to municipalities in certain parishes; to authorize the governing body of the respective municipality to levy and collect an additional sales and use tax, subject to voter approval; and to provide for related matters.

**HOUSE BILL NO. 1174—**

BY REPRESENTATIVES CRANE, DEWITT, AND MURRAY

**AN ACT**

To amend and reenact R.S. 23:1727, relative to unemployment compensation contributions; to provide that certain assessments do not affect certain security interests; to provide for a lien for future unpaid contributions, interest, and penalties; to provide for the ranking of liens; and to provide for related matters.

**HOUSE BILL NO. 1474 (Duplicate of Senate Bill No. 1002)—**

BY REPRESENTATIVE FONTENOT AND SENATOR BRANCH

**AN ACT**

To amend and reenact R.S. 27:311(I), relative to video draw poker licensing; to provide that the office of a distributor, device owner, or service entity may be located in a parish which voted against the operation of video draw poker devices; and to provide for related matters.

**HOUSE BILL NO. 1682—**

BY REPRESENTATIVE DANIEL (BY REQUEST)

**AN ACT**

To amend and reenact R.S. 11:1162(A)(6)(introductory paragraph), relative to the Louisiana School Employees' Retirement System; to provide with respect to the board of trustees and participation in the Deferred Retirement Option Plan; and to provide for related matters.

**HOUSE BILL NO. 1714—**

BY REPRESENTATIVES DANIEL, CURTIS, FLAVIN, JOHNS, PERKINS,  
STELLY, TRICHE, AND WALSWORTH

**AN ACT**

To amend and reenact R.S. 11:2266, relative to the Firefighters Retirement System; to provide with respect to the application for membership or disability benefits and penalties for fraudulent actions related thereto; to provide with respect to benefits and the payment thereof; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD

Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

**Introduction of Resolutions,  
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE RESOLUTION NO. 58—**

BY REPRESENTATIVES QUEZAIRE, TRICHE, AND FAUCHEUX

**A RESOLUTION**

To commend and congratulate West St. John High School upon winning the 1998 State Championship in Class 2A football.

Read by title.

On motion of Rep. Quezaire, and under a suspension of the rules, the resolution was adopted.

**HOUSE RESOLUTION NO. 59—**

BY REPRESENTATIVE GUILLORY

**A RESOLUTION**

To commend the Lake Charles-Boston 1999 Lady Cougars Track and Field Team for their victories as Class 3A State Champions, Region II - 3A Champions, and District 5-3A Champions.

Read by title.

On motion of Rep. Guillory, and under a suspension of the rules, the resolution was adopted.

**HOUSE RESOLUTION NO. 60—**

BY REPRESENTATIVE WALSWORTH

**A RESOLUTION**

To urge and request the office of alcohol and tobacco control, Department of Revenue, to develop a plan for issuing citations and conducting undercover operations to charge persons under the age of twenty-one for purchasing or possessing alcoholic beverages.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 61—**

BY REPRESENTATIVES MURRAY, BRUNEAU, CLARKSON, COPELIN,  
FARVE, HEATON, LANDRIEU, MORRELL, ODINET, PRATT, SCALISE,  
SCHWEGMANN, WILLARD, AND WINDHORST

**A RESOLUTION**

To proclaim Tuesday, May 25, 1999, as "New Orleans Day" at the Louisiana State Legislature and to provide for suitable observance of such day.

Read by title.

On motion of Rep. Murray, and under a suspension of the rules, the resolution was adopted.

**HOUSE CONCURRENT RESOLUTION NO. 220—**

BY REPRESENTATIVE WILLARD

**A CONCURRENT RESOLUTION**

To recognize the historical significance of Lincoln Beach and the importance of its rehabilitation, to express legislative support for its rehabilitation, and to request that the assistant secretary of the office of cultural development of the Department of Culture, Recreation, and Tourism evaluate the site for possible inclusion on the National Register of Historic Places.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 221—**

BY REPRESENTATIVE MCCALLUM

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana State Law Institute to study a successor's rights relative to transfers of succession interests in immovable property prior to the judicial opening of the succession, the effect of creating a preemptive period for actions arising out of transfers of succession interests in immovable property which occurred prior to the judicial opening of the succession, and to report its findings and recommendations to the Legislature of Louisiana no later than January 1, 2001.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 222—**

BY REPRESENTATIVE HOLDEN

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to continue to support and fund the United States-Asia Environmental Partnership, the Environmental Technology Network for Asia, and the Council of State Governments' State Environmental Initiative.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 223—**

BY REPRESENTATIVE SCHWEGMANN

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana State Law Institute to study the law regarding domicile and legal residence relative to granting a homestead exemption, to make recommendations as to an expedited procedure for establishing a citizen's legal residence for purposes of the homestead exemption, and to report its findings to the Legislature of Louisiana no later than January 1, 2001.

Read by title.

Lies over under the rules.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on  
Administration of Criminal Justice**

May 19, 1999

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal

Justice to submit the following report:

House Bill No. 223, by Morrish  
Reported with amendments. (5-2-1) (Regular)

House Bill No. 465, by Montgomery  
Reported favorably. (6-3-1) (Regular)

House Bill No. 735, by Travis  
Reported with amendments. (5-4-1) (Regular)

House Bill No. 757, by Travis  
Reported with amendments. (5-4) (Regular)

House Bill No. 1119, by Johns  
Reported favorably. (5-1-1) (Regular)

House Bill No. 1512, by Barton  
Reported favorably. (6-0-1) (Regular)

House Bill No. 2097, by Hudson  
Reported with amendments. (8-0-1) (Regular)

House Bill No. 2166, by Welch  
Reported favorably. (8-0-1) (Local and Consent)

House Bill No. 2167, by Welch  
Reported with amendments. (6-0-1) (Regular)

House Bill No. 2177, by Quezaire  
Reported favorably. (7-0) (Regular)

House Bill No. 2228, by Weston  
Reported favorably. (9-0) (Regular)

STEPHEN J. WINDHORST  
Chairman

**Report of the Committee on Education**

May 19, 1999

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Education to submit the following report:

Senate Bill No. 16, by Landry  
Reported with amendments. (14-0) (Regular)

Senate Bill No. 20, by Hines  
Reported with amendments. (12-0) (Regular)

Senate Bill No. 170, by Hainkel  
Reported favorably. (14-0) (Regular)

Senate Bill No. 178, by Dyess  
Reported favorably. (14-0) (Local and Consent)

Senate Bill No. 198, by Fields  
Reported favorably. (9-0) (Regular)

Senate Bill No. 249, by Dardenne  
Reported favorably. (14-0) (Regular)

Senate Bill No. 296, by Greene  
Reported favorably. (14-0) (Regular)

Senate Bill No. 546, by Hines

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Reported favorably. (12-0) (Regular)

Senate Bill No. 632, by Hainkel  
Reported favorably. (14-0) (Regular)

CHARLES MCDONALD  
Chairman

The above Senate Bills reported favorably or with amendments  
were referred to the Legislative Bureau.

### **Report of the Committee on House and Governmental Affairs**

May 19, 1999

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental  
Affairs to submit the following report:

House Bill No. 4, by Windhorst (Joint Resolution)  
Reported by substitute. (10-0)

House Bill No. 1596, by Windhorst  
Reported favorably. (9-0) (Regular)

CHARLES LANCASTER  
Chairman

### **Suspension of the Rules**

On motion of Rep. Lancaster, the rules were suspended in order  
to take up House Bills contained in the committee report at this time.

### **House Bills and Joint Resolutions on Second Reading Reported by Committees**

The following House Bills and Joint Resolutions on second  
reading reported by committees were taken up and acted upon as  
follows:

#### **HOUSE BILL NO. 4— BY REPRESENTATIVE WINDHORST A JOINT RESOLUTION**

Proposing to amend Article III, Section 2(A) of the Constitution of  
Louisiana, relative to sessions of the legislature; to provide for  
annual general sessions of the legislature; to provide limitations;  
to provide deadlines for the prefiling and introduction of  
legislation and for certain legislative action; to provide for  
submission of the proposed amendment to the electors; and to  
provide for related matters.

Read by title.

Reported by substitute by the Committee on House and  
Governmental Affairs.

The substitute was read by title as follows:

**HOUSE BILL NO. 2277 (Substitute Bill for House Bill No. 4 by  
Representative Windhorst, et al.)—  
BY REPRESENTATIVES WINDHORST, DOWNER, BRUNEAU, COPELIN,  
LANCASTER, ALARIO, ALEXANDER, BARTON, BAUDOUIN, BAYLOR,  
BRUCE, CARTER, CLARKSON, CRANE, CURTIS, DAMICO, DANIEL,  
DEVILLE, DIEZ, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN,  
FONTENOT, FRITH, FRUGE, GAUTREAUX, GLOVER, GREEN,  
GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS,  
HUDSON, HUNTER, ILES, JETSON, JOHNS, KENNARD, KENNEY,  
LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM,**

MCDONALD, MICHOT, MITCHELL, MONTGOMERY, MORRELL,  
MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT,  
QUEZAIRE, RIDDLE, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN,  
SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT,  
THOMPSON, THORNHILL, TRAVIS, TRICHE, WADDELL, WALSWORTH,  
WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, AND  
WRIGHT

#### **A JOINT RESOLUTION**

Proposing to amend Article III, Section 2(A) of the Constitution of  
Louisiana, to provide for the consideration of certain legislative  
instruments during regular sessions; to provide relative to  
subject matter limitations for and the duration of regular  
sessions; to provide deadlines for the prefiling and introduction  
of legislation and for certain legislative action; to provide for the  
authority of the legislature as related thereto; to provide for the  
submission of the proposed amendment to the electors; and to  
provide for related matters.

Read by title.

On motion of Rep. Lancaster, the substitute was adopted and  
became House Bill No. 2277 by Rep. Windhorst, on behalf of the  
Committee on House and Governmental Affairs, as a substitute for  
House Bill No. 4 by Rep. Windhorst.

Under the rules, lies over in the same order of business.

### **Report of the Committee on Health and Welfare**

May 19, 1999

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to  
submit the following report:

House Concurrent Resolution No. 1, by Salter  
Reported with amendments. (9-0)

House Bill No. 1619, by Riddle  
Reported by substitute. (10-0) (Regular)

House Bill No. 2098, by Toomy  
Reported favorably. (9-0) (Regular)

Senate Bill No. 307, by Schedler  
Reported with amendments. (14-0) (Regular)

Senate Bill No. 363, by Landry  
Reported favorably. (9-0) (Regular)

Senate Bill No. 512, by Cravins  
Reported favorably. (9-0) (Local and Consent)

RODNEY ALEXANDER  
Chairman

The above Senate Bills reported favorably or with amendments  
were referred to the Legislative Bureau.

### **Report of the Committee on Insurance**

May 19, 1999

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Insurance to submit the  
following report:

House Bill No. 1742, by Morrish

Reported with amendments. (8-0) (Regular)

Senate Bill No. 4, by Bajoie  
Reported favorably. (8-0) (Local and Consent)

Senate Bill No. 63, by Barham  
Reported favorably. (7-0) (Local and Consent)

Senate Bill No. 243, by Lentini  
Reported with amendments. (9-0) (Regular)

Senate Bill No. 300, by Greene  
Reported favorably. (7-0) (Local and Consent)

Senate Bill No. 417, by Bean  
Reported with amendments. (10-0) (Local and Consent)

Senate Bill No. 499, by Cravins  
Reported favorably. (7-0) (Local and Consent)

Senate Bill No. 578, by Landry  
Reported favorably. (10-0) (Local and Consent)

Senate Bill No. 641, by Hainkel  
Reported favorably. (8-0) (Local and Consent)

JAMES DONELON  
Chairman

The above Senate Bills reported favorably or with amendments  
were referred to the Legislative Bureau.

### Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second  
reading to be referred were taken up, read, and referred to  
committees, as follows:

#### SENATE BILL NO. 490— BY SENATOR LANDRY

#### AN ACT

To amend and reenact R.S. 56:325(A)(6) and 326(A)(7)(b), relative  
to fishing; to provide for certain freshwater game fish and  
commercial fish; to reduce the minimum legal size limit for  
channel catfish; and to provide for related matters.

Called from the calendar.

Read by title.

On motion of Rep. Jack Smith, the bill was referred to the  
Committee on Natural Resources, under the rules.

### Suspension of the Rules

On motion of Rep. Hill, the rules were suspended to permit the  
Committee on Agriculture to meet at adjournment on Thursday, May  
20, 1999.

### Suspension of the Rules

On motion of Rep. Windhorst, the rules were suspended to  
permit the Committee on Administration of Criminal Justice to meet  
and consider the following legislative instruments that were not listed  
on the weekly committee schedule as required by House Rule 14.23.

House Bill No. 206

House Concurrent Resolution No. 215

### Suspension of the Rules

On motion of Rep. McDonald, the rules were suspended to  
permit the Committee on Education to meet and consider the  
following legislative instruments that were not listed on the weekly  
committee schedule as required by House Rule 14.23.

House Bill No. 1863

Senate Bill No. 605

### Suspension of the Rules

On motion of Rep. Alexander, the rules were suspended to  
permit the Committee on Health and Welfare to meet and consider  
the following legislative instruments that were not listed on the  
weekly committee schedule as required by House Rule 14.23.

House Bill No. 1382

### Suspension of the Rules

On motion of Rep. Lancaster, the rules were suspended to  
permit the Committee on House and Governmental Affairs to meet  
without giving the notice required by House Rule 14.24(A) and  
consider the following legislative instruments that were not listed on  
the weekly committee schedule as required by House Rule 14.23.

Senate Bill Nos. 815 and 849

### Suspension of the Rules

On motion of Rep. Toomy, the rules were suspended to permit  
the Committee on Judiciary to meet at adjournment on Thursday,  
May 20, 1999, and consider the following legislative instruments that  
were not listed on the weekly committee schedule as required by  
House Rule 14.23.

Senate Bill Nos. 751 and 908

### Suspension of the Rules

On motion of Rep. DeWitt, the rules were suspended to permit  
the Committee on Labor and Industrial Relations to meet at  
adjournment on Thursday, May 20, 1999, and consider the following  
legislative instruments that were not listed on the weekly committee  
schedule as required by House Rule 14.23.

House Bill No. 1449

### Suspension of the Rules

On motion of Rep. Weston, the rules were suspended to permit  
the Committee on Municipal, Parochial and Cultural Affairs to meet  
at adjournment on Thursday, May 20, 1999, and consider the  
following legislative instruments that were not listed on the weekly  
committee schedule as required by House Rule 14.23.

House Bill Nos. 527, 1462, 1715, 1993, and 2125

House Concurrent Resolution No. 212

### Suspension of the Rules

On motion of Rep. John Smith, the rules were suspended to

permit the Committee on Natural Resources to meet and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23.

Senate Bill No. 228

### **Suspension of the Rules**

On motion of Rep. Stelly, the rules were suspended to permit the Committee on Retirement to meet at adjournment on Thursday, May 20, 1999, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23.

House Bill No. 1897

House Concurrent Resolution Nos. 210 and 211

Senate Bill Nos. 556, 696, and 1080

### **Leave of Absence**

Rep. Strain- 1 day

### **Adjournment**

On motion of Rep. Downer, at 6:45 P.M., the House agreed to adjourn until Thursday, May 20, 1999, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Thursday, May 20, 1999.

ALFRED W. SPEER  
Clerk of the House

C. Wayne Hays  
Journal Clerk, *Emeritus*

### **Committee Meeting Notices**

#### **Committee on Administration of Criminal Justice**

Will meet at: **8:30 A.M.**

Date: May 20, 1999

Location: Committee Room 6

**HR 5 HEBERT – CORRECTIONS/PRISONERS:** Urges the Department of Public Safety and Corrections to house elderly and infirm inmates in separate correctional facility

**HR 6 HEBERT – CORRECTIONS/PRISONERS:** Urges the Department of Public Safety and Corrections to study possibility of developing intensive labor and incarceration programs in exchange for reduced length of sentence if successfully completed

**HCR 40 DEWITT – CRIMINAL/PROCEDURE:** Suspends the effective date of the DNA Detection of Sexual and Violent Offenders Act

**HCR 149 WILKERSON – GAMBLING/COMPULSIVE:** Urges and requests that Indian casinos contribute to the state Compulsive and Problem Gambling Fund

**HB 90 MORRELL – CRIMINAL/HABIT OFFENDERS:**

Provides that Habitual Offender Law requiring mandatory life imprisonment only applies to persons convicted of certain crimes of violence

**HB 206 THOMPSON (TBA) – CRIME/BATTERY:** Increases penalties for battery of a school teacher (**SUBJECT TO RULES SUSPENSION**)

**HB 323 STELLY – CRIME:** Provides with regard to the prohibition of persons under the age of twenty-one from possessing alcoholic beverages

**HB 793 MCCAIN – GAMBLING:** Removes Secretary of Department of Revenue as ex officio member of the Louisiana Gaming Control Board

**HB 853 HEBERT – CORRECTIONAL FACILITIES :** Provides for phone usage by inmates in parish prisons

**HB 854 HEBERT – CORRECTIONS/PRISONERS:** Authorizes the Department of Public Safety and Corrections to adopt rules requiring co-payments from prisoners for medical and dental treatment received at public hospitals

**HB 880 KENNEY – CRIME:** Creates the crime of unauthorized taking or destruction of street or road signs

**HB 1036 J D SMITH – GAMBLING:** Authorizes governor to approve and sign Indian gaming compacts with federally recognized Indian tribes

**HB 1114 HEATON – GAMBLING:** Adds two additional board members to the Louisiana Gaming Control Board

**HB 1252 McDONALD – CRIME:** Provides relative to violations of municipal and city ordinances

**HB 1279 DEWITT – CRIME:** Enhances the penalty for hit-and-run driving where the offender has certain criminal history

**HB 1280 McMAINS – CRIMINAL/PROCEDURE:** Provides for notice of lis pendens in actions involving gaming

**HB 1359 WINDHORST – GAMBLING/RIVERBOAT:** Provides with respect to the licensing and regulation of riverboat gaming activities and operations

**HB 1360 WINDHORST – GAMBLING/VIDEO POKER:** Amends provisions of video draw poker law (See fiscal note.)

**HB 1485 TOOMY – CRIME:** Creates the crimes of simple, second degree, and aggravated domestic battery

**HB 1487 TOOMY – CRIMINAL/PROCEDURE:** Amends Code of Evidence article addressing spousal witness privilege

**HB 1647 BARTON – GAMBLING:** Provides with respect to the regulatory authority of the Louisiana Gaming Control Board

**HB 1748 SCALISE – DWI:** Increase penalties for second and subsequent DWI offenses

**HB 1785 WIGGINS – GAMBLING:** Establishes a program to educate students about potential problems with gaming

**HB 1806 POWELL – CRIME:** Provides for enhanced penalties for crimes of domestic violence

**HB 1817 MARIONNEAUX – GAMBLING/VIDEO POKER:** Provides that the Louisiana Gaming Control Board shall issue licenses within 120 days or send explanation as to why license is not issued within that time period

**HB 1826 DEWITT – GAMING:** Authorizes the state to enter into Indian gaming compacts with up to 15 year terms in exchange for an 18-1/2% contribution from the tribe and provides a process for compact negotiation and approval

**HB 2030 MCCAIN – GAMBLING:** Creates position of executive director of the Louisiana Gaming Control Board

**HB 2065 WIGGINS – CRIME:** Increases penalties for crime of criminal trespass

**HB 2176 SCHNEIDER – CRIME:** Creates the crime of home invasion

**HB 2219 DEVILLE – ALCOHOLIC BEVERAGES:** Provides for the purchase, possession, and consumption of alcoholic beverages by persons of the age of majority

**HB 2224 MARIONNEAUX – CRIME/HOMICIDE-MURDER:** Includes the killing of a person on school property in the crime of first degree murder

**HB 2226 MARIONNEAUX – GAMBLING:** Authorizes raffles under one hundred dollars without licensing (Minimal rev impact. See fiscal note.)

**SB 694 CAIN – ALCOHOLIC BEVERAGES:** Reduces the blood alcohol level from .10 to .08 percent for various offenses and suspends driver's license as penalty for unlawful purchase and possession of alcoholic beverages. (Local exp/rev, SGF/Other expd & ASG revs incr in FYs 00-04. SN)

STEPHEN J. WINDHORST  
Chairman

#### Committee on Agriculture

Will meet at: UPON ADJOURNMENT Date: May 20, 1999

Location: Committee Room 3

**SCR 60 BEAN – CONGRESS:** Memorializes Congress to restore NRCS budget in order that it can continue to serve Louisiana's conservation and environmental needs.

**SCR 75 BARHAM – FORESTRY:** Requests the commissioner of agriculture and forestry to proceed without delay in promulgating rules relative to forest products if required by certain legislation and to study timber laws.

**SCR 76 MALONE – COMMITTEE STUDIES:** Requests study of state laws related to the sale of jointly owned timber.

HERMAN R. HILL  
Vice Chairman

#### Committee on Education

Will meet at: 9:00 A.M. Date: May 20, 1999

Location: Committee Room 1

**HB 1088 M A R I O N N E A U X – M T R**

**VEHICLE/BUSES-SCHOOL:** Requires school buses to be equipped with seat belts (Local expd incr \$36.7 mill in FY 99-00, & an avg \$517,000 in FYs 00-01 thru 03-04. See fiscal note.)

**HB 2163 McDONALD – SCHOOLS/LOCAL SUPERINTDT:** Requires written performance-based employment contracts for local school superintendents and provides procedures for contract renewal or termination

**HB 2042 GLOVER – EDUCATION:** Provides for the development and implementation of a program for students based on the federal Community Learning Centers program

**HCR 204 W A L S W O R T H – SCHOOLS/TRANSPORTATION:** Requests BESE to adopt policies requiring local school boards to provide instruction in school bus safety to K-3 students

**HB 128 WILKERSON – HIGHER EDUCATION:** Provides for a tuition exemption for state employees under certain conditions

**HB 1970 WILLARD – STUDENT/TUITION:** Provides for tuition exemptions for municipal police officers at state public colleges and universities

**HB 2124 PERKINS – STUDENT/LOANS-SCHOLARSHIP:** Adds marketing education to TOPS high school core curriculum for the Opportunity, Performance, and Honors awards

**HB 2244 WILKERSON – STUDENTS:** Requires local school boards to pay certain costs for students who are members of cheerleading squads

**HCR 206 McDONALD – TEACHERS:** Requests BESE to direct efforts within the Dept. of Education toward reducing the requirements for paperwork and non-instructional tasks placed on teachers

**HB 1863 STELLY (TBA) – COLLEGES/ADMISSIONS:** Provides admission standards for nonresidents to public colleges and universities (SUBJECT TO RULE SUSPENSION)

**SB 605 JORDAN (TBA) – SCHOOLS:** Authorizes the superintendent to determine the facts at a hearing conducted by him in cases recommending expulsion. (gov sig) (SUBJECT TO RULE SUSPENSION)

CHARLES MCDONALD  
Chairman

#### Committee on Health and Welfare

Will meet at: 9:30 A.M. Date: May 20, 1999

Location: Committee Room 4

**HB 245 DOWNER – HEALTH/EMERG MED SERVICE:** Provides relative to automated external defibrillators

**HB 942 FARVE – ABORTION:** Prohibits the performance of partial-birth abortions by physicians and prohibits pregnant women from consenting to partial-birth abortions (Fed expd/revs decr & Local revs incr in FYs 99-00 thru 03-04. See fiscal note for expd/rev impact.)

**HB 1382 R ALEXANDER (TBA) – MEDICAID:** Authorizes

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Dept. of Health and Hospitals to establish medication therapy regimens within the Medicaid drug formulary (SUBJECT TO RULE SUSPENSION)

**HB 1825 JOHNS – PHARMACISTS:** Revises the practice of pharmacy

**SCR 22 HINES – HEALTH/HOSPITALS DEPT:** Authorizes the Department of Health and Hospitals to implement a Medicaid Region III modified CommunityCARE program, a Medicaid voucher program, a Medicaid center of excellence program, and a Medicaid regional managed care pilot program.

**SCR 62 HINES – COMMITTEE STUDIES:** Continues the existence of the Gene Therapy Research Center Task Force to support, monitor, and assist with the creation of the La. Genetics Research Consortium to foster genetics and gene therapy research and business development in the state

**SCR 85 HINES – HEALTH/HOSPITALS DEPT:** Requests Department of Health and Hospitals to provide for an additional 100 personal care attendant Medicaid waiver slots for disabled adults from funds received by the state from any tobacco industry settlement, agreement, or judgment.

**SB 98 HINES – CHILDREN:** Revises the membership of the Children's Cabinet Advisory Board. (Gov sig) (No fiscal note required. See note.)

**SB 100 HINES – HEALTH CARE:** Provides relative to automated external defibrillators.

**SB 209 HINES – HEALTH CARE:** Establishes a procedure for issuance of bracelets to implement advanced directives. (gov sig) (No fiscal note required. See note.)

**SB 221 HINES – HEALTH/HOSPITALS DEPT:** Deletes certain requirements related to Medicaid waiver requests. (gov sig) (No fiscal note required. See note.)

**SB 256 HINES – CHILDREN:** Provides for the state Children's Health Insurance Program. (gov sig) (Fed exp/revs incr \$7.4 mill in FY 99-00, & an avg \$24 mill in FYs 00-01 thru 03-04 & SGF expd incr \$2 mill in FY 99-00 & an avg \$6.4 mill in FYs 00-01 thru 03-04. See note.)

**SB 359 HINES – SANITARY CODE:** Provides for the issuance of a food safety certificate and for collection of a fee for the certificate. (gov sig) (No fiscal note required. See note.)

**SB 520 HINES – PUBLIC RECORDS:** Provides for limited access to information contained in reports on child abuse and neglect. (gov sig)

**SB 541 HINES – CHILDREN:** Provides for the custody of children after termination of parental rights. (No fiscal note required. See note.)

**SB 620 HINES – PHARMACY:** Revises the practice of pharmacy. (2/3-CA7s2.1(A)) (ASG revs inc an avg \$78,020 in FYs 99-00 thru 03-04 & expd incr \$38,700 in FY 99-00 & \$1,700 in FYs 00-01 thru 03-04. See fiscal note.)

**SB 709 HINES – PUBLIC HEALTH:** Provides relative to records and investigations to combat and control public health hazards.

**SB 825 HINES – GENETICS:** Prohibits human cloning. (See

fiscal note.)

**SB 1074 HINES – HEALTH CARE:** Recreates the La Commission on HIV and AIDS and provides for its membership. (gov sig)

**SB 1089 HINES – CHILDREN:** Provides relative to day care facilities. (9/1/99) (No anticipated expd/rev impact. See fiscal note.)

RODNEY ALEXANDER  
Chairman

### Committee on House and Governmental Affairs

Will meet at: 9:00 A.M. Date: May 20, 1999

Location: Committee Room 3

**HCR 55 HUDSON – CIVIL SERVICE/STATE:** Urges and requests the State Civil Service Commission to study the feasibility and possibility of allowing state employees to evaluate their managers and supervisors

**HCR 205 WESTON – RETIREMENT BENEFITS:** Memorializes congress to enact legislation to permit full receipt of military longevity retirement pay and service-connected disability compensation pay

**HB 2119 WADDELL – PUBLIC RECORDS:** Provides for limited access to certain information contained in the records of certain agencies concerning child abuse or neglect

**SB 781 LENTINI – CRIME/PUNISHMENT:** Provides relative to injuring public records. (gov sig)

**SB 782 LENTINI – PUBLIC RECORDS:** Provides for limited access to information contained in reports on child abuse and neglect concerning complaints against caregivers for certain dependents. (gov sig) (No anticipated fiscal impact. See fiscal note.)

**SB 815 EWING (TBA) – PUBLIC RECORDS:** Requires DSS to develop procedure to safeguard information that is contained in the the state case registry. (SUBJECT TO RULE SUSPENSION)

**SB 849 DARDENNE (TBA) – PUBLIC RECORDS:** Provides that certain records of the Louisiana State Board of Private Investigator Examiners concerning fitness of applicants for licensure shall not be public records. (SUBJECT TO RULE SUSPENSION)

CHARLES D. LANCASTER, JR.  
Chairman

### Committee on Insurance

Will meet at: Date: May 20, 1999

Location: Committee Room 2

NO MEETING IS SCHEDULED

JAMES DONELON  
Chairman

### Committee on Judiciary

Will meet at: UPON ADJOURNMENT Date: May 20, 1999

Location: Committee Room 1

**HCR 80 MURRAY – ATTORNEY GENERAL:** Directs the Attorney General to file an action against gun manufacturers and makers to recoup state Medicaid funds expended in the treatment of gunshot injuries in the state

**HCR 191 FRUGE – JUDICIAL EXPENSES:** Directs the Supreme Court's Judicial Administrator to examine, analyze, and report to the Legislature regarding the funding and total cost of the judicial system in the state

**HB 191 WILKERSON – LAW ENFORCEMENT:** Requires the provision of bullet proof vests for peace officers

**HB 1330 FARVE – JURY DUTY:** Requires the payment of a juror's regular salary for service on a jury

**HB 1711 GLOVER – POLICE/MUNICIPAL:** Requires all peace officers employed by the city of Shreveport to complete a police-community relations training course annually

**SB 118 M SMITH – CORONERS:** Requires coroners to be a resident of the parish or a non-resident physician who maintains a full-time medical practice at a facility located within the parish. (9-1-99) (No anticipated fiscal impact. See fiscal note)

**SB 159 LENTINI – CLERKS OF COURT:** Authorizes clerks of court of parishes with a population in excess of 400,000 but less than 490,000 to retain abandoned or unclaimed court cost deposits in the clerk of courts's fee fund. (SGF revs decr \$30,000 in FYs 99-00 thru 03-04. See fiscal note)

**SB 174 ULLO – CORONERS:** Provides the venue for suits against a coroner. (gov sig)

**SB 199 ULLO – CORONERS:** Creates a joint self insurance program for coroners. (gov sig) (Fiscal impact unknown. See note.)

**SB 272 COX – COURTS:** Increases the jurisdictional amount for City Court of Sulphur. (No anticipated fiscal impact. See fiscal note.)

**SB 423 COX – CLERKS OF COURT:** Increases the compensation for the court administrator and provides for the collection of a fee of three dollars for every civil filing to be deposited into the indigent transcript fund. (Local rev inc \$208,000 & exp inc \$4,000 in FYs00-04. See note.)

**SB 446 COX – COURTS:** Authorizes more than one division to be assigned juvenile and domestic relations matters in the Fourteenth Judicial District Court.

**SB 581 THOMAS – CORONERS:** Requires the coroner to provide a copy of final report or autopsy report to the deceased's physician under certain circumstances. (gov sig) (Local expd/revs increase in FYs 99-00 thru 03-04. See fiscal note.)

**SB 627 HAINKEL – CLERKS OF COURT:** Authorizes the clerk of court of Tangipahoa Parish for the Twenty-First Judicial District Court to establish increased fees for filing civil suits and for recordation of documents to fund the Internet-based Document Electronic Access System (SFN)

**SB 751 EWING (TBA) – JUDGES:** Provides a residency requirement for certain judges elected at large. (gov sig) (No fiscal note required. See note.) (SUBJECT TO RULE SUSPENSION)

**SB 904 SCHEDLER – COURTS:** Provides for the jurisdiction of justice of the peace courts over incidental demands. (No anticipated fiscal impact. See fiscal note.)

**SB 908 FIELDS W (TBA) – COURTS:** Provides relative to court reporters for the Nineteenth Judicial District Court. (2/3-CA7s2.1(A)) (Local expd/revs incr \$150,000 in FYs 99-00 thru 03-04. See fiscal note.) (SUBJECT TO RULE SUSPENSION)

**SB 990 THEUNISSEN – COURTS:** Provides for a court reporter, an indigent transcript fund, and a judicial expense fund for the Thirty-first Judicial District. (2/3-CA7s2.1)

**SB 997 SCHEDLER – CLERKS OF COURT:** Provides for participation by clerks in deferred compensation plans. (No anticipated expd/rev impact. See fiscal note.)

JOSEPH F. TOOMY  
Chairman

#### Committee on Labor and Industrial Relations

Will meet at: UPON ADJOURNMENT Date: May 20, 1999

Location: Committee Room 5

**HCR 65 MURRAY – WORKERS COMP:** Suspends certain provisions of the Workers' Compensation Administration hearing rules

**HB 256 MURRAY – WORKERS COMP:** Repeals the deductions for certain benefit payments against death benefits and other benefits

**HB 257 MURRAY – WORKERS COMP:** Provides for additional twelve percent compounded interest in workers' compensation cases

**HB 258 MURRAY – WORKERS COMP:** Removes the cap on supplemental earnings benefits

**HB 619 MURRAY – WORKERS COMP:** Provides that the reduction in workers' compensation benefits based on an employer's portion of a disability policy is limited to the current employer

**HB 620 MURRAY – WORKERS COMP:** Eliminates the Garrett Offset for disability benefits

**HB 1061 MICHOT – COMMERCIAL REGULATIONS:** To provide for registration and the relationship between professional employer organizations, co-employees, and clients

**HB 1062 MICHOT – WORKERS COMP:** Provides for limitation on the exemption of certain sole proprietors who elect out of workers' compensation coverage

**HB 1449 DEWITT (TBA) – WORKFORCE DEVELOPMENT:** Provides for the recusal of certain members of a local workforce investment board (SUBJECT TO RULE SUSPENSION)

**HB 1457 MICHOT – WORKERS COMP:** Provides that impeachment evidence shall not be discoverable

**HB 1945 MICHOT – WORKERS COMP:** Provides for penalties and attorney fees for discontinuance of payment of workers' compensation

**HB 2093 STRAIN – DISCRIMINATION:** Clarifies that Louisiana law requires equity in pay

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**HB 2214 COPELIN – EMPLOYMENT/WAGES:** Provides that all employees shall be paid minimum wage regardless of any tips or gratuities (No fiscal note required. See note.)

**SB 392 DARDENNE – WORKERS' COMP:** Provides for the release of medical records and information on the injured worker (SGF expd decrease in FYs 99-00 thru 03-04. See fiscal note.)

**SB 538 DARDENNE – COMMERCIAL REGULATIONS:** Provides for registration and the relationship between PEO's (professional employer organizations), co-employees, and clients (1/1/2000) (SGF expd incr \$337,000 in FY 99-00 and \$300,000 in FYs 00-01 thru 03-04. See fiscal note.)

**SB 649 M SMITH – WORKERS' COMP:** Provides for secondary sources of income and reduction of benefits (gov sig) (SGF expd increase in FYs 99-00 thru 03-04. See fiscal note.)

**SB 871 HAINKEL – DISCRIMINATION:** Clarifies definition of employer and provides for civil suits involving employment discrimination (No anticipated expd/rev impact. See fiscal note.)

**SB 881 M SMITH – INSURERS:** Requires workers' compensation insurers to forward certain statistical information involving an insured to certain national rating organizations (No fiscal note required. See note.)

CHARLIE DEWITT  
Chairman

### Committee on Municipal, Parochial and Cultural Affairs

Will meet at: UPON ADJOURNMENT Date: May 20, 1999

Location: Committee Room 6

**HCR 212 WESTON (TBA) – CULTURE/REC/TOUR:** Urges and requests the Department of Culture, Recreation and Tourism to develop a plan for a golf trail in the state (**SUBJECT TO RULE SUSPENSION**)

**HB 527 JOHNS (TBA) – TAX/HOTEL OCCUPANCY:** Provides relative to the tax on complimentary hotel rooms in Calcasieu Parish (**SUBJECT TO RULE SUSPENSION**)

**HB 868 J D SMITH – FIRE PROTECT/FIREMEN:** Provides benefits for firefighters not scheduled to work on a holiday

**HB 1462 KENNARD (TBA) – FIRE PROTECT/FIREMEN:** Provides relative to the salary of certain fire alarm operators, dispatchers, and persons doing similar work (**SUBJECT TO RULE SUSPENSION**)

**HB 1715 MONTGOMERY (TBA) – FIRE PROTECTION:** Provides for contracts with private companies for the provision of fire protection services (**SUBJECT TO RULE SUSPENSION**)

**HB 1853 ALARIO – DISTRICTS/HOSPITAL SERVC:** Authorizes the operation of satellite facilities outside a hospital service district's boundary

**HB 1993 McCALLUM (TBA) – OFFICIAL JOURNALS:** Increases the legal advertisement rates for publication of legal minutes in official journals (**SUBJECT TO RULE SUSPENSION**)

**HB 2088 STELLY – PLANNING/ZONING-LOCAL:** Limits authority of local governing bodies to regulate amateur radio antennas

**HB 2118 HUDSON – LOCAL OFFL/POLICE CHIEFS:** Authorizes the chief of police in certain municipalities to appoint, discipline, and discharge police personnel subject to budgetary limitations

**HB 2125 JOHNS (TBA) – DISTRICTS/SPECIAL:** Provides relative to the governing authority of the West Calcasieu Parish Community Center Authority (**SUBJECT TO RULE SUSPENSION**)

**HB 2205 LANCASTER – DISTRICTS/NEIGHBORHOOD:** Authorizes creation of a special district for security purposes in the Ferran Place-Courtland Heights area in Metairie

**SB 190 FIELDS W – EMERGENCY PREPAREDNESS:** Authorizes any parish to assist another parish during emergencies and disasters (See fiscal note.)

**SB 606 GREENE – PARISHES:** Authorizes the governing authority of Pointe Coupee Parish to regulate construction of buildings and other structures over False River

**SB 847 JOHNSON – LOCAL FINANCE:** Provides relative to certain property of political subdivisions (SGF & Local expd decrease in FYs 99-00 thru 03-04. See fiscal note.)

**SB 1022 CAIN – SPECIAL DISTRICTS:** Creates the Vernon Parish Arena District

**SB 1027 JONES – SPECIAL DISTRICTS:** Creates the Downtown Economic Development District for the city of Monroe for the purpose of developing economic development initiatives and the use of the Ouachita River (gov sig) (No anticipated fiscal impact. See fiscal note.)

**SB 1043 FIELDS W – PARKS:** Transfers ownership, possession, control, management, and operation of Camp Moore from the Department of Culture, Recreation and Tourism to the state land office and deletes its designation as a state commemorative area

**SB 1070 CAIN – PARISHES:** Provides relative to certain personnel at the Beauregard Parish Covered Arena (gov sig)

**SB 1077 FIELDS W – INTERGOVERN RELATIONS:** Authorizes the disposal of unused library books by making them available to be claimed for institutional or private use (gov sig) (No anticipated expd/rev impact. See fiscal note.)

SHARON WESTON  
Chairman

### Committee on Natural Resources

Will meet at: 9:00 A.M. Date: May 20, 1999

Location: Committee Room 5

**HCR 202 FONTENOT – FISHING:** Directs the Wildlife and Fisheries Commission to establish certain size limits for bass on certain rivers

**SB 228 LANDRY(TBA) – FISH/FISHING:** Authorizes the commercial taking of mullet in freshwater areas with hoop nets. (**SUBJECT TO RULE SUSPENSION**)

**SB 536 ROBICHAUX – FISH/FISHING:** Changes the membership of the Louisiana Seafood Marketing and Promotion Board to better reflect the sources of revenue represented by board

members, and increases the number of members from fifteen to seventeen. (No anticipated impact. SFN)

**SB 661 ROBICHAUX – FISH/FISHING:** Creates the Shrimp Marketing and Promotion Account within the Seafood Promotion and Marketing Fund to be used for market expansion and development of strategies for marketing Louisiana shrimp.

**SB 1009 HAINKEL – WATER/WATERWAYS:** Includes that segment of the Tangipahoa River from the Interstate 12 crossing to its entrance into Lake Ponchartrain in Tangipahoa Parish in the Louisiana Natural and Scenic Rivers System.

**SB 1013 THOMAS – PUBLIC PROPERTY:** Authorizes the secretary of DOTD to transfer title to certain properties in St. Tammany Parish to the St. Tammany Parish Police Jury.

**SB 1060 BARHAM – PUBLIC LANDS:** Authorizes the secretary of the Department of Wildlife and Fisheries to exchange title to certain property in Ouachita Parish.

**SB 1076 DEAN – OWNERSHIP:** Provides for return of certain lands in the Bohemia Spillway.

**SB 1104 MALONE – PUBLIC LANDS:** Authorizes the secretary of the Department of Health and Hospitals to negotiate and enter into a contract of exchange of certain tracts of land in Caddo Parish.

**SB 1107 COX – HUNTERS/HUNTING:** Provides relative to the use of scopes on muzzle loaders for certain hunters.

JOHN SMITH  
Chairman

#### Committee on Retirement

Will meet at: UPON ADJOURNMENT Date: May 20, 1999

Location: Committee Room 4

**HB 529 McDONALD – RETIREMENT CREDIT:** Requires employer contribution rate to include the actuarial cost of transferring prior service credit of certain secretaries of appointed and elected chiefs of police and for their membership in certain systems

**HB 946 DAMICO – RETIREMENT/TEACHERS:** Increases the employee contribution rate and, for teachers with 30 or more years of service, increases the benefit accrual rate

**HB 1319 MICHOT – RETIREMENT/PUBLIC OFFLS :** Disqualifies certain felons from eligibility to participate in or receive benefits from public retirement system

**HB 1599 WINSTON – RETIREMENT/MUNICIPAL POL:** Authorizes conversion of unused earned sick and annual leave to retirement credit

**HB 1676 DEVILLE – RETIREMENT/TEACHERS:** Allows certain members of Teachers' Retirement System to apply total balance of unused accrued sick leave to membership service

**HB 1678 THERIOT – RETIREMENT/STATE EMPS:** Provides for retirement with 20 years of service for employees of the Greater Lafourche Port Commission Harbor Police

**HB 1707 STELLY – RETIREMENT/TEACHERS:** Creates Optional Retirement Plan for K-12 teachers

**HB 1897 MONTGOMERY (TBA) – RETIREMENT/MUNICIPAL POL:** Defines "employee" to include certain police civil service employees, provides optional membership for certain other employees, provides for person in the system through error (SUBJECT TO RULE SUSPENSION)

**HB 1973 DANIEL – RETIREMENT/FIREFIGHTERS :** Provides regarding annual retirement allowances and cessation of benefits upon reemployment

**HB 2095 WILKERSON – RETIREMENT/FIREFIGHTERS :** Allows reemployed retirees option to accrue additional credit or earn up to fifty percent of benefits without future suspension or reduction of benefits

**HB 2132 STELLY – RETIREMENT/SHERIFFS FUND:** Reorganizes and redesignates the provisions of law for the system

**HB 2212 J R SMITH – RETIREMENT/STATE POLICE :** Provides eligibility criteria for participation in the deferred retirement option plan

**HB 2238 THOMPSON – RETIREMENT/TEACHERS:** Authorizes the purchase of credit on an actuarial basis for certain service performed while on contract

**HCR 197 STELLY – RETIREMENT SYSTEMS:** Memorializes Congress to continue the exemption applicable to Louisiana public employees' participation in the federal social security system

**HCR 210 WILKERSON (TBA) – RETIREMENT SYSTEMS:** Requests members of the boards of trustees of public retirement systems to create intern positions for college students to gain experience regarding pension operations and management (SUBJECT TO RULE SUSPENSION)

**HCR 211 FLAVIN (TBA) – RETIREMENT BENEFITS:** Urges and requests governor of the state of Louisiana to renegotiate the "Section 218" agreement currently existing between the state of Louisiana and the federal Social Security Administration (SUBJECT TO RULE SUSPENSION)

**SB 325 HEITMEIER – STATE EMPLOYEE RET:** Removes the requirement that the retired members of the board of trustees have to be retired for at least two years before running for the position. (1/1/01)

**SB 328 HEITMEIER – STATE EMPLOYEE RET:** Provides for the status of participants in the Deferred Retirement Option Plan and the computation of service credit following participation. (gov sig)

**SB 556 LANDRY (TBA) – CLERKS OF COURT RET:** Authorizes employers of members of the retirement fund to pay all or a portion of the employee contribution into the fund. (7/1/99) (SUBJECT TO RULE SUSPENSION)

**SB 696 CAIN (TBA) – STATE POLICE RET FUND:** Authorizes the continuation of certain benefits on behalf of a surviving spouse until death. (gov sig) (See fiscal note for expd/rev impact.) (SUBJECT TO RULE SUSPENSION)

**SB 1080 LENTINI (TBA) – STATE POLICE RET FUND:** Provides that in the event a surviving spouse dies, a totally disabled surviving child, regardless of age, is eligible to receive the same benefit that was being received by the surviving spouse. (gov sig) (SUBJECT TO RULE SUSPENSION)

VICTOR STELLY  
Chairman

**Weekly Committee Schedules**

**Committee on Appropriations**

**Monday, May 24, 1999**  
**Committee Room No. 5**  
**9:30 A.M.**

**INSTRUMENTS TO BE HEARD:**

**NO MEETING IS SCHEDULED**

**Tuesday, May 25, 1999**  
**9:30 A.M.**

**INSTRUMENTS TO BE HEARD:**

**HCR 156 TRICHE — INSURANCE/GROUP-STATE:** Requests the Board of Trustees of the State Employees Group Benefits Program to provide for special enrollments for retirees

**HCR 178 MORRELL — TREASURER:** Urges and requests the state treasurer to choose certain banks to use as depository institutions for state funds

**HB 289 MORRELL — FUNDS/FUNDING:** Creates the Service Improvement Fund and provides for the uses of certain gaming revenues

**HB 573 FARVE — SCHOOLS/FINANCE-MFP:** (Constitutional Amendment) Effective January 1, 2000, defines "minimum foundation program" to mean an adequate program of education in all public elementary and secondary schools (SGF & Local expd increase in FYs 99-00 thru 03-04. See note.)

**HB 612 DONELON — GAMING/REVENUE:** (Constitutional Amendment) Provides for the use of certain net gaming revenues from any legally defined official gaming establishment (the land-based casino)

**HB 1165 PRATT — SCHOOLS/EMPLOYEES:** Provides salary increases for certain public elementary and secondary school teachers, school support personnel, and faculty at public postsecondary educational institutions (SGF expd incr an avg \$234 mill in FYs 99-00 thru 03-04. SFN)

**HB 1239 DONELON — GAMING/REVENUE:** Provides relative to the use of certain net revenues derived from the land-based casino

**HB 1746 HUDSON — TRUSTS/PUBLIC:** Exempts public trusts from provisions of "Public Bid Law" for procurements made under the Procurement Code (SGF expd decrease in FYs 99-00 thru 03-04. See fiscal note.)

**HB 2076 PERKINS — FUNDS/FUNDING:** Dedicates a portion of the sales taxes collected on hotel rooms in the city of Baker to the Baker Economic Development Fund

**SCR 59 HINES — CONGRESS:** Memorializes Congress to take certain actions relative to monies received by the state from any tobacco industry settlement, agreement, or judgment.

JERRY LUKE LEBLANC  
Chairman

**Committee on Civil Law and Procedure**

**Monday, May 24, 1999**  
**Committee Room No. 3**  
**9:00 A.M.**

**INSTRUMENTS TO BE HEARD:**

**HB 224 MURRAY — MALPRACTICE/MEDICAL:** Increases the limitation of recovery for medical malpractice claims

**HB 251 HUNTER — LIABILITY/PUBLIC:** Provides relative to the limitation of public liability

**HB 587 HUNTER — MALPRACTICE/MEDICAL:** Provides relative to the limitation of liability of recovery for provide and state medical malpractice claims

**HB 617 MURRAY — TAX/AD VALOREM-EXEMPTION:** (Constitutional Amendment) Extends authorization for tax exemption contracts for expansion, restoration, improvement, or development to include all residential structures in the state (*Technical Review Only*)

**HB 656 DEVILLE — CONSUMERS:** (Constitutional Amendment) Prohibits laws that discriminate on the basis of age against persons of the age of majority in the purchase, possession, ownership, use, or sale of any item, product, material, or other goods or services

**HB 823 MONTGOMERY — PRIVILEGES/LIENS:** Provides for a repairman's privilege on property damage insurance proceeds

**HB 1008 DEVILLE — PROPERTY/COMMUNITY:** Provides relative to access to a safety deposit box leased by married persons

**HB 1148 WIGGINS — EVIDENCE:** Provides relative to confidentiality of reports and conclusions by certain health care providers and agencies

**HB 1169 WINSTON — MALPRACTICE:** Provides for the commencement of prescription for legal malpractice actions

**HB 1473 HOPKINS — CORRECTIONS/PRISONERS:** Prohibits filing of lawsuits in forma pauperis if prisoner has previously filed frivolous lawsuit

**HB 1499 JETSON — INSURANCE/HMO:** Provides penalties for nonpayment by health maintenance organizations

**HB 1756 HOPKINS — CIVIL/DAMAGES:** Provides with respect to the recovery of damages arising from an automobile accident

**HB 1757 HUNTER — CIVIL/ACTIONS:** Provides for survival and wrongful death actions in favor of a stepchild or stepchildren in certain circumstances

**HB 2157 COPELIN — PRIVILEGES/LIENS:** Provides privileges for persons who provide security services or consumable goods for certain supermarkets

**HB 2232 R ALEXANDER — EVIDENCE:** Adds state health care provider definition of health care provider for obtaining medical records of patients through subpoena or court order

**Tuesday, May 25, 1999**

9:00 A.M.

INSTRUMENTS TO BE HEARD:

- HB 704 MARTINY — CONDOMINIUMS:** Provides with respect to the Louisiana Condominium Act
- HB 843 DURAND — FAMILY VIOLENCE:** Makes provisions relating to restraining orders to prevent domestic abuse applicable to unmarried persons
- HB 845 DURAND — EVIDENCE:** Excepts certain testimony by infirm, disabled, or aged persons from the prohibition against hearsay
- HB 986 MARTINY — JUDGMENTS:** Provides relative to cancellation of notice of pendency of action if judgment in the action is canceled
- HB 1055 MARTINY — PROPERTY/IMMOVABLE:** Provides relative to transfers of more than one parcel of property
- HB 1056 MARTINY — MORTGAGES:** Provides relative to the amendment, renewal, or refinancing of mortgages and mortgage notes
- HB 1057 MARTINY — PROPERTY/COMMUNITY:** Provides relative to the classification of community property
- HB 1121 MARTINY — MORTGAGES:** Provides for the inclusion of social security numbers or employer identification numbers on privileges and judicial mortgages
- HB 2237 WILLARD — MALPRACTICE:** Provides for burden of proof in malpractice actions against registered nurses and advanced practice registered nurses
- SB 650 DARDENNE — SEIZURES/SALES:** Allows for the seizure of collateral by secured parties without judicial process under certain circumstances. (Local revs decr in FYs 99-00 thru 03-04. See fiscal note.)
- SB 687 DARDENNE — CHILDREN:** Provides for situations when a hearing concerning children in need of care can be held in parents' absence. (gov sig)
- SB 754 HOLLIS — OBLIGATIONS:** Defines "assignment" for purposes of the right of a licensed collection agency to collect a claim acquired pursuant to such assignment.
- SB 755 HOLLIS — ATTORNEYS:** Authorizes a collection agency to recommend, retain, or furnish an attorney to a customer.

F. CHARLES MCMAINS, JR.  
Chairman

**Committee on Environment**

**Monday, May 24, 1999**  
**Committee Room No. 4**

INSTRUMENTS TO BE HEARD:

**NO MEETING IS SCHEDULED**

**Tuesday, May 25, 1999**  
**9:00 A.M.**

INSTRUMENTS TO BE HEARD:

- HCR 4 MORRELL — ENVIRONMENT:** Urges and request DEQ to impose a five-year moratorium on construction of chemical plants in La.
- SB 720 FIELDS W — ENVIRONMENTAL CONTROL:** Requires certain used oil facilities to obtain permits or licenses if they also conduct processing and removes statutory limitation on their liability. (Other revs incr \$198,000 in FYs 99-00 thru 03-04. See fiscal note.)

N. J. DAMICO  
Chairman

**Committee on Transportation, Highways and Public Works**

**Monday, May 24, 1999**  
**Committee Room No. 2**

INSTRUMENTS TO BE HEARD:

**NO MEETING IS SCHEDULED**

**Tuesday, May 25, 1999**  
**10:00 A.M.**

INSTRUMENTS TO BE HEARD:

- HB 348 TRAVIS — MOTOR VEHICLES:** Prohibits the sale of motor vehicles on public roadways
- SB 289 M SMITH — MOTOR VEHICLES:** Requires application for a salvage title for any motor vehicle which is declared a "total loss." (No fiscal note required. See note.)
- SB 352 ULLO — MOTOR VEHICLES:** Requires the commissioner of DPS&C to collect and publish statistical information as to whether the driver was using a cellular or mobile telephone at the time of a highway accident. (No fiscal note required. See note.)
- SB 438 LANDRY — LEGISLATION:** Provides relative to the Department of Transportation and Development pilot program for design-build controls. (gov sig)
- SB 497 THOMAS — ROADS/HIGHWAYS:** Requires multi-lane construction on LA 3241 from I-12 to Bush as included in the TIMED program. (No anticipated expd/rev impact. See fiscal note.)
- SB 559 JORDAN — PUBLIC SFTY/CORRECT DEPT:** Provides approval of drug testing methods and other procedures involving persons who operate vehicles while intoxicated. (No fiscal note required. See note.)
- SB 598 SCHEDLER — TRAFFIC:** Provides for right-of-way at certain traffic signs and signals.
- SB 622 LANDRY — PUBLIC CONTRACTS:** Provides relative to purchase of materials or supplies by public enties. (See fiscal note.)
- SB 706 BEAN — PUBLIC CONTRACTS:** Authorizes a Louisiana insurer licensed to issue performance bonds to bond a public works contract. (No fiscal note required. See note.)
- SB 803 LANDRY — TRANSPORTATION/DEV DEPT :**

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Provides relative to special permits. (2/3-CA7s2.1(A)) (ASG revs incr \$27,839 in FYs 99-00 thru 03-04. See fiscal note.)

**SB 827 SCHEDLER** — MOTOR CARRIERS: Provides for the inspection of intermodal vehicles. (gov sig) (Minimal expd impact. See fiscal note.)

**SCR 91 LAMBERT** — MOTOR VEHICLES: Requests the Department of Public Safety and Corrections to update standards for approved motorcycle helmets.

JOHN C. "JUBA" DIEZ  
Chairman

### Committee on Ways and Means

Monday, May 24, 1999  
Committee Room No. 6

#### INSTRUMENTS TO BE HEARD:

**NO MEETING IS SCHEDULED.**

Tuesday, May 25, 1999  
9:30 A.M.

#### INSTRUMENTS TO BE HEARD:

**HB 343 MURRAY** — FUNDS/FUNDING: Disposition of monies within the New Orleans Area Tourism Economic Development Fund

**HB 1439 WINSTON** — TAX/INHERITANCE TAX: Changes prescriptive period for certain inheritance taxes

**HB 2207 MICHOT** — TAX/SEVERANCE TAX: Reduces the tax on certain production from oil wells

**HB 2234 STELLY** — DISTRICTS/SPECIAL: Provides for the creation of special taxing districts to reallocate certain revenues

**SB 986 THEUNISSEN** — TAX/TAXATION: Authorizes a sales tax of 5% for parishes, school boards, and school districts. (gov sig)

**SB 989 THEUNISSEN** — SCHOOLS: Authorizes school districts to issue bonds for the acquisition of school and activity buses for a term of up to 7 years. (gov sig)

**SB 1012 BARHAM** — REVENUE DEPARTMENT: Authorizes an appointment by the Louisiana Highway Safety "Commission".

JOHN A. ALARIO, JR.  
Chairman